An act to amend Sections 8205, 8208, 8210, 8211, 8244, 8337, 8901, 8902, 35780, 41480, 41490, 42238.02, 42238.05, 42238.051, 42280, 44690, 46120, 47606.5, 51745, 51745.5, 51746, 51747, 51747.5, 51749.5, 51749.6, 52063, 52064, 52065, 52066, 52069, 52073.2, 56122, 56836.07, 56836.144, 56836.146, and 56836.148 of, to amend and repeal Section 42238.052 of, to add Sections 33005.1, 41204.7, 51225.31, 51744, 52064.3, and 52073.3 to, to add Article 24 (commencing with Section 8490) to Chapter 2 of Part 6 of Division 1 of Title 1 of, to add Article 8.5 (commencing with Section 41585) to Chapter 3.2 of Part 24 of Division 3 of Title 2 of, and to add Article 16.1 (commencing with Section 53020) to Part 28 of Division 4 of Title 2 of, the Education Code, to amend Sections 113 and 119 of Chapter 24 of the Statutes of 2020, to amend Items 6100-001-0890, 6100-485, and 6100-488 of Section 2.00 of the Budget Act of 2021 (Chapters 21, 69, and 240 of the Statutes of 2021), and to amend Sections 47 and 52 of Chapter 252 of the Statutes of 2021, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.
THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 8205 of the Education Code is amended to read:

8205. As used in this chapter:

(a) “Applicant or contracting agency” means a school district, community college district, college or university, county superintendent of schools, county, city, public agency, private nontax-exempt agency, private tax-exempt agency, or other entity that is authorized to establish, maintain, or operate services pursuant to this chapter. Private agencies and parent cooperatives, duly licensed by law, shall receive the same consideration as any other authorized entity with no loss of parental decisionmaking prerogatives as consistent with the provisions of this chapter.

(b) “Assigned reimbursement rate” is that rate established by the contract with the agency and is derived by dividing the total dollar amount of the contract by the minimum child day of average daily enrollment level of service required.

(c) “Attendance” means the number of children present at a preschool facility. “Attendance,” for purposes of reimbursement, includes excused absences by children because of illness, quarantine, illness or quarantines of their parent, family emergency, or to spend time with a parent or other relative as required by a court of law or that is clearly in the best interest of the child.

(d) “Capital outlay” means the amount paid for the renovation and repair of childcare and development and preschool facilities to comply with state and local health and safety standards, and the amount paid for the state purchase of relocatable childcare and development and preschool facilities for lease to qualifying contracting agencies.

(e) “Preschool facility” means a residence or building or part thereof in which preschool services are provided.

(f) “Early childhood programs” means those programs that offer a full range of services for children from infancy to 13 years of age, for any part of a day, by a public, private, or proprietary agency, in centers and family childcare homes.

(g) “Children at risk of abuse, neglect, or exploitation” means children who are so identified in a written referral from a legal, medical, or social service agency, or emergency shelter.

(h) “Children with exceptional needs” means either of the following:

(1) Children under three years of age who have been determined to be eligible for early intervention services pursuant to the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) and its implementing regulations. These children include an infant or toddler with a developmental delay or established risk condition, or who is at high risk of having a substantial developmental disability, as defined in subdivision (a) of Section 95014 of the Government Code. These children shall have active individualized family service plans, plans and shall be receiving early intervention services, and shall be children who require the special attention of adults in a childcare setting.

(2) Children 3 to 21 years of age, inclusive, who have been determined to be eligible for special education and related services by an individualized education program team according to the special education requirements contained in Part 30 (commencing with Section 56000) of Division 4 of Title 2, and who meet eligibility criteria described in Section 56026 and, Article 2.5 (commencing with Section 56333) of Chapter 4 of Part 30 of Division 4 of Title 2, and Sections 3030 and 3031 of Title
5 of the California Code of Regulations. These children shall have an active individualized education program, and shall be receiving early intervention services or appropriate special education and related services, and shall be children who require the special attention of adults in a childcare setting. These children include children with intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (also referred to as emotional disturbance), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities, who need special education and related services consistent with Section 1401(3)(A) of Title 20 of the United States Code.

(i) “Cost” includes, but is not limited to, expenditures that are related to the operation of preschool programs. “Cost” may include a reasonable amount for state and local contributions to employee benefits, including approved retirement programs, agency administration, and any other reasonable program operational costs. “Cost” may also include amounts for licensable facilities in the community served by the program, including lease payments or depreciation, downpayments, and payments of principal and interest on loans incurred to acquire, rehabilitate, or construct licensable facilities, but these costs shall not exceed fair market rents existing in the community in which the facility is located. “Reasonable and necessary costs” are costs that, in nature and amount, do not exceed what an ordinary prudent person would incur in the conduct of a competitive business.

(j) “Elementary school,” as contained in former Section 425 of Title 20 of the United States Code (the National Defense Education Act of 1958, Public Law 85-864, as amended), includes early childhood education programs and all child development programs, for the purpose of the cancellation provisions of loans to students in institutions of higher learning.

(k) “Family childcare home education network” means an entity organized under law that contracts with the department to make payments to licensed family childcare home providers and to provide educational and support services to those providers and to children and families eligible for California state preschool program services.

(l) “Health services” include, but are not limited to, all of the following:

(1) Referral, whenever possible, to appropriate health care providers able to provide continuity of medical care.

(2) Health screening and health treatment, including a full range of immunization recorded on the appropriate state immunization form to the extent provided by the Medi-Cal Act (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code) and the Child Health and Disability Prevention Program (Article 6 (commencing with Section 124025) of Chapter 3 of Part 2 of Division 106 of the Health and Safety Code), but only to the extent that ongoing care cannot be obtained utilizing community resources.

(3) Health education and training for children, parents, staff, and providers.

(4) Followup treatment through referral to appropriate health care agencies or individual health care professionals.

(m) “Higher educational institutions” means the Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Community Colleges, and the governing bodies of any accredited private nonprofit institution of postsecondary education.
(n) “Intergenerational staff” means persons of various generations.
(o) “Dual language learner children” means children whose first language is a language other than English or children who are developing two or more languages, one of which may be English.
(p) “Parent” means a biological parent, stepparent, adoptive parent, foster parent, caretaker relative, or any other adult living with a child who has responsibility for the care and welfare of the child.
(q) “Program director” means a person who, pursuant to Section 8298, is qualified to serve as a program director.
(r) “Proprietary agency” means an organization or facility providing preschool, which is operated for profit.
(s) “Children with severe disabilities” are children with exceptional needs from birth to 21 years of age, inclusive, who require intensive instruction and training in programs serving pupils with the following profound disabilities: autism, blindness, deafness, severe orthopedic impairments, serious emotional disturbances, or severe intellectual disabilities. “Children with severe disabilities” also include those individuals who would have been eligible for enrollment in a developmental center for handicapped pupils under Chapter 6 (commencing with Section 56800) of Part 30 of Division 4 of Title 2 as it read on January 1, 1980.
(t) (1) “Site supervisor” means a person who, regardless of their title, has operational program responsibility for an early childhood program at a single site.
(2) A site supervisor shall satisfy one of the following:
   (A) Hold a permit issued by the Commission on Teacher Credentialing that authorizes supervision of a childcare and development program operating in a single site.
   (B) Hold an administrative credential or an administrative services credential issued by the Commission on Teacher Credentialing.
   (C) Meet the qualifications of a program director under Section 8298.
(3) The Superintendent may waive the requirements of this subdivision if the Superintendent determines that the existence of compelling need is appropriately documented.
(u) “Standard reimbursement rate” means the reimbursement rate applicable to California state preschool programs pursuant to Section 8242.
(v) “Startup costs” means those expenses an agency incurs in the process of opening a new or additional facility before the full enrollment of children.
(w) “California state preschool program” means those programs that offer part-day or full-day, or both, educational programs for eligible three-, two-, three-, and four-year-old children. These programs may be offered by a public, private, or proprietary agency, and operated in childcare centers or family childcare homes operating through a family childcare home education network.
(x) “Support services” means those services that, when combined with preschool services, help promote the healthy physical, mental, social, and emotional growth of children. Support services may include, but are not limited to: protective services, parent training, provider and staff training, transportation, parent and child counseling, child development resource and referral services, and child placement counseling.
(y) “Teacher” means a person with the appropriate permit issued by the Commission on Teacher Credentialing who provides program supervision and
instruction that includes supervision of a number of aides, volunteers, and groups of children.

(z) “Underserved area” means a county or subcounty area, including, but not limited to, school districts, census tracts, or ZIP Code areas, where the ratio of publicly subsidized preschool program services to the need for these services is low, as determined by the Superintendent.

(aa) “Two-year-old children” means children who are eligible to enroll starting with their second birthday. Any child under four years of age shall be served in a California state preschool program facility, licensed in accordance with Title 22 of the California Code of Regulations.

(ab) “Three-year-old children” means children who will have their third birthday on or before December 1 of the fiscal year in which they are enrolled in a California state preschool program. Children who have their third birthday on or after December 2 of the fiscal year, may be enrolled in a California state preschool program on or after their third birthday. Any child under four years of age shall be served in a California state preschool program facility, licensed in accordance with Title 22 of the California Code of Regulations.

(ac) “Four-year-old children” means children who will have their fourth birthday on or before December 1 of the fiscal year in which they are enrolled in a California state preschool program, or a child whose fifth birthday occurs after September 1 of the fiscal year in which they are enrolled in a California state preschool and whose parent or guardian has opted to retain or enroll them in a California state preschool program.

(ad) “Homeless children and youth” has the same meaning as defined in Section 11434a(2) of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.).

(af) “Funded enrollment” means the number of subsidized children funded to be enrolled, based on the maximum reimbursable amount, contract rate, and approved program calendar, by a California state preschool program contractor.

SEC. 2. Section 8208 of the Education Code is amended to read:

8208. (a) (1) A three- or two-, three-, or four-year-old child is eligible for the part-day California state preschool program if the child’s family is one of the following:
(A) A current aid recipient.
(B) Income eligible.
(C) Homeless.
(D) One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected or exploited.
(E) (i) One that has children with exceptional needs, as defined in Section 8205.
(ii) Only the children in the family who are children with exceptional needs may be enrolled under the eligibility criteria of this subparagraph. Any other child in the family without exceptional needs may be enrolled pursuant to any of the criteria established in subparagraphs (A) to (D), inclusive.

(2) Notwithstanding any other law, a part-day California state preschool program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213, after all eligible three- and four-year-old children have been enrolled. No more than 10 percent of children enrolled, calculated throughout the participating program’s entire contract, may be filled by children in families above the income eligibility threshold.

(3) Notwithstanding any other law, after all otherwise eligible children have been enrolled as provided in paragraphs (1) and (2), a part-day California state preschool program may provide services to three- and four-year-old children in families whose income is above the income eligibility threshold if those children are children with exceptional needs. Children receiving services pursuant to this paragraph shall not count towards the 10-percent limit in paragraph (2).

(4) Notwithstanding any other law, after all otherwise eligible children have been enrolled as provided in paragraphs (1) to (3), inclusive, a provider operating a part-day state preschool program within the attendance boundary of a public school, as set forth in Section 8217, may enroll four-year-old children.

(b) A part-day California state preschool program contracting agency shall certify eligibility and enroll families into their program within 120 calendar days prior to the first day of the beginning of the new preschool year. Subsequent to enrollment, a child shall be deemed eligible for a part-day California state preschool program for the remainder of the program year and for the following program year, as long as applicable age-eligibility requirements are met, as specified in Sections 8205 and 48000.

(c) (1) At least 10 percent of a part-day California state preschool program contracting agency’s funded enrollment shall be reserved for children with exceptional needs, as defined in Section 8205, and serve those children.

(2) (A) The department shall review data on compliance and provide technical assistance to California state preschool program contracting agencies to assist them in meeting the requirement described in paragraph (1).

(B) Agencies shall be fully funded for 10 percent of funded enrollment, inclusive of the exceptional needs adjustment factor for that enrollment pursuant to Section 8244, to ensure funding is available to enroll children with exceptional needs within the 10 percent set-aside at any point during the fiscal year. An agency not meeting the requirement to fill 10 percent of funded enrollment with children with exceptional needs shall conduct community outreach to special education partners to recruit additional children with exceptional needs into their programs.

(C) (i) On and after July 1, 2025, any agency not meeting the requirement described in paragraph (1) may be put on a conditional contract as described in Section 8314 unless they have applied and been approved for a waiver pursuant to clause (ii).

(ii) The Superintendent shall create an ongoing waiver process for an agency not able to meet the requirement described in paragraph (1).
(3) Children with exceptional needs attending California state preschool programs shall be educated in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(4) (A) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this subdivision, the department shall implement this subdivision through management bulletins or similar letters of instruction on or before December 31, 2022.

(B) The department shall initiate a rulemaking action to implement this subdivision on or before December 31, 2023.

d) (1) A three-, two-, three-, or four-year-old four-year-old child is eligible for a full-day California state preschool program if the family meets both of the following requirements:

(A) The child’s family is one of the following:
   (i) A current aid recipient.
   (ii) Income eligible.
   (iii) Homeless.
   (iv) One whose children are recipients of child protective services, or whose children have been identified as being abused, neglected, or exploited, or at risk of being abused, neglected or exploited.
   (v) (I) One that has children with exceptional needs, as defined in Section 8205. (II) Only the children in the family who are children with exceptional needs may be enrolled under the eligibility criteria of this subparagraph. Any other child in the family without exceptional needs may be enrolled pursuant to any of the criteria established in clauses (i) to (v), inclusive.

(B) The child’s family needs the childcare services because of either the following:
   (i) The child has been identified by a legal, medical, or social services agency, a local educational agency liaison for homeless children and youths designated pursuant to Section 11432(g)(1)(J)(ii) of Title 42 of the United States Code, a Head Start program, or an emergency or transitional shelter as one of the following:
      (I) A recipient of protective services.
      (II) Being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation.
      (III) Being homeless.
   (ii) The child’s parents are one of the following:
      (I) Engaged in vocational training leading directly to a recognized trade, paraprofession, or profession.
      (II) Engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate.
      (III) Employed or seeking employment.
      (IV) Seeking permanent housing for family stability.
      (V) Incapacitated.
(2) (A) At least 10 percent of a full-day California state preschool program contracting agency’s funded enrollment shall be reserved for children with exceptional needs, as defined in Section 8205.

(B) (i) The department shall review data on compliance and provide technical assistance to California state preschool program contracting agencies to assist them in meeting the requirement described in subparagraph (A).

(ii) Agencies shall be fully funded for 10 percent of funded enrollment, inclusive of the exceptional needs adjustment factor for that enrollment pursuant to Section 8244, to ensure funding is available to enroll children with exceptional needs within the 10 percent set-aside at any point during the fiscal year. Agencies not meeting the requirement to fill 10 percent of funded enrollment with children with exceptional needs shall conduct community outreach to special education partners to recruit additional children with exceptional needs into their programs.

(iii) (I) On and after July 1, 2025, any agency not meeting the requirement described in subparagraph (A) may be put on a conditional contract as described in Section 8314 unless they have applied and been approved for a waiver pursuant to subclause (II).

(II) The Superintendent shall create an ongoing waiver process for agencies not able to meet the requirement described in subparagraph (A).

(C) Children with exceptional needs attending California state preschool programs shall be educated in the least restrictive environment in accordance with Section 1412(a)(5)(A) of Title 20 of the United States Code.

(D) (i) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this paragraph, the department shall implement this paragraph through management bulletins or similar letters of instruction on or before December 31, 2022.

(ii) The department shall initiate a rulemaking action to implement this paragraph on or before December 31, 2023.

(2) (3) Notwithstanding paragraph (1), after all families meeting the criteria specified in paragraph (1) have been enrolled, a full-day California state preschool program may provide services to three- and four-year-old children in families who do not meet at least one of the criteria specified in subparagraph (B) of paragraph (1).

(4) After all otherwise eligible children have been enrolled as provided in paragraphs (1) and (2), a provider operating a full-day California state preschool program within the attendance boundary of a public school as set forth in Section 8217 may enroll any four-year-old child.

(e) (1) With the exception of the age requirements and paragraphs (2) and (3), (3) and (4), upon establishing initial eligibility or ongoing eligibility for full-day California state preschool program services under this chapter, a family shall be considered to meet all eligibility and need requirements for those services for not less than 1224 months, shall receive those services for not less than 1224 months before
having their eligibility or need recertified, and shall not be required to report changes to income or other changes for at least 12 to 24 months.

(2) In the event that the eligibility period as described in paragraph (1) ends before the end of a program year, eligibility shall be extended until the end of the program year, as long as applicable age-eligibility requirements are met as specified in Sections 8205 and 48000.

(2) A family that establishes initial eligibility or ongoing eligibility on the basis of income shall report increases in income that exceed the threshold for ongoing income eligibility, as described in Section 8213, and the family’s ongoing eligibility for services shall at that time be recertified.

(2) A family may, at any time, voluntarily report income or other changes. This information shall be used, as applicable, to reduce the family’s fees, increase the family’s services, or extend the period of the family’s eligibility before recertification.

(f) (1) Because a family that meets eligibility requirements at its most recent eligibility certification or recertification is considered eligible until the next recertification, as provided in subdivision (d), a payment made by a preschool program for a child during this period shall not be considered an error or an improper payment due to a change in the family’s circumstances during that same period.

(2) Notwithstanding paragraph (1), the Superintendent or the Superintendent’s designated agent may seek to recover payments that are the result of fraud.

(f) (g) (1) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement subdivision (d), the department shall implement subdivision (d) through management bulletins or similar letters of instruction on or before October 1, 2017. December 31, 2022.

(2) The department shall initiate a rulemaking action to implement subdivision (d) on or before December 31, 2018. The department shall convene a workgroup of parents, advocates, department staff, child development program representatives, and other stakeholders to develop recommendations regarding implementing subdivision (d).

(g) (h) The Superintendent shall establish guidelines according to which the director or a duly authorized representative of the California state preschool program will certify children as eligible for state reimbursement purposes.

SEC. 3. Section 8210 of the Education Code is amended to read:

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

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

(2) (A) To the extent that there are additional three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the 10 percent of funded enrollment set-aside pursuant to Section 8208, the second priority for services shall be given to all three- and four-year-old children with exceptional needs from families with incomes below the income eligibility threshold, as described in Section 8213.

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

(2) (A) The second priority for services shall be given to eligible four-year-old children who are not enrolled in a state-funded transitional kindergarten program.

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

(i) If two or more families have the same income ranking according to the most recent schedule of income ceiling eligibility table, a child with exceptional needs shall be enrolled first.

(ii) If there are no families with a child with exceptional needs, the child that has been on the waiting list for the longest time shall be admitted first.

(3) (A) The third priority shall be given to eligible three-year-old children. Enrollment determinations within this priority category shall be made pursuant to subparagraph (B) of paragraph (2).

(B) (i) The fourth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the eligibility income threshold, as described in Section 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.

(B) (ii) If there are no families with a child with exceptional needs, the child that has been on the waiting list for the longest time shall be admitted first.

(3) (B) The fifth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is above the income eligibility threshold, as described in Section 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.

(6) The sixth priority, after all otherwise eligible children have been enrolled, shall be children from families whose income is no more than 15 percent above the income eligibility threshold, as described in Section 8213. Within this priority category, priority shall be given to four-year-old children before three-year-old children.
(6)

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

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

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

(C) After all eligible three- and four-year-old children have been enrolled, providers may enroll eligible two-year-old children, as defined in Section 8205. Within this priority category, children from families with the lowest income ceiling according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(b) For purposes of determining order of enrollment, public assistance grants shall be counted as income.

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

(d) (1) Children with exceptional needs enrolled in the 10 percent of funded enrollment set-aside pursuant to Section 8208 shall be enrolled without regards to priorities listed in subdivision (a).

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

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

SEC. 4. Section 8211 of the Education Code is amended to read:

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

(1) The first priority for services shall be given to three-year-old or four-year-old children who are recipients of child protective services or who are at risk of being neglected, abused or exploited upon written referral from a legal, medical, or social service agency. If an agency is unable to enroll a child in this first priority category, the agency shall refer the child’s parent or guardian to local resources and referral services so that services for the child can be located.

(2) (A) To the extent that there are additional three- and four-year-old children with exceptional needs interested in enrolling beyond those already enrolled in the 10 percent of funded enrollment set-aside pursuant to Section 8208, the second priority
for services shall be given to all three- and four-year old children with exceptional
needs from families with incomes below the income eligibility threshold, described in
Section 8213.

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

(2)

(3) (A) The second third priority for services shall be given to eligible
four-year-old children who are not enrolled in a state-funded transitional kindergarten
program.

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

(i) If two or more families have the same income ranking according to the most
recent schedule of income ceiling eligibility table, a child with exceptional needs shall
be enrolled first.

(ii) If there are no families with a child with exceptional needs, the child that
has been on the waiting list for the longest time shall be admitted first.

(4) The third fourth priority shall be given to eligible three-year-old children.
Enrollment determinations within this priority category shall be made pursuant to
subparagraph (B) of paragraph (2)-(3).

(5) (A) The fifth priority, after all otherwise eligible children have been enrolled,
shall be a child with an individualized family service plan or individualized education
program and whose family’s income is above the income eligibility threshold, as
described in Section 8213.

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

(6) The sixth priority, after all otherwise eligible children have been enrolled,
shall be children from families whose income is no more than 15 percent above the
income eligibility threshold, as described in Section 8213. Within this priority category,
priority shall be given to four-year-old children before three-year-old children.

(7) After all otherwise eligible children have been enrolled in the first through
fourth sixth priority categories, as described in paragraphs (1) to (4)-(6), inclusive, the
contractor may enroll the children in the following order:

(A) The contractor may enroll three- and four-year-old children from families
that meet eligibility criteria pursuant to paragraph (2)-(3) of subdivision (e) (d) of
Section 8208. Within this priority, contractors shall enroll families in income ranking
order, lowest to highest, and within income ranking order, enroll four-year-old children
before three-year-old children.
(B) For California state preschool program sites operating within the attendance boundaries of a qualified free and reduced priced meals school, in accordance with Section 8217, the contractor may enroll any three- and four-year-old children whose families reside within the attendance boundary of the qualified school without establishing eligibility or a need for services pursuant to paragraph (1) or (2) (3) of subdivision (e) (d) of Section 8208. These families shall, to the extent possible, be enrolled in income ranking order, lowest to highest.

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

(D) After all eligible three- and four-year-old children have been enrolled, providers may enroll eligible two-year-old children, as defined in Section 8205. Within this priority category, children from families with the lowest income ceiling according to the income ranking on the most recent schedule of income ceiling eligibility table, as published by the Superintendent at the time of enrollment, shall be enrolled first.

(b) For purposes of determining order of admission, grants of public assistance shall be counted as income.

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

(d) (1) Children with exceptional needs enrolled in the 10 percent of funded enrollment set-aside pursuant to Section 8208 shall be enrolled without regards to priorities listed in subdivision (a).

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

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

SEC. 5. Section 8244 of the Education Code is amended to read:

8244. (a) In order to reflect the additional expense of serving full-day preschool children who meet any of the criteria outlined in subdivision (b), the contractor’s reported child days of enrollment for these children shall be multiplied by the adjustment factors listed below.

(b) Notwithstanding any other law, the adjustment factors shall be as follows:

(1) For children with exceptional needs, including children with severe disabilities, the adjustment factor shall be 1.54. 2.40.

(2) For children with severe disabilities, the adjustment factor shall be 1.93.

(3) Prior to January 1, 2022, for

(2) For children at risk of neglect, abuse, or exploitation, the adjustment factor shall be 1.1.

(4) Prior to January 1, 2022, for

(3) For dual language learner children, the adjustment factor shall be 1.1- 1.2.

(5)
(4) When early childhood mental health consultation services are provided, pursuant to Section 8243, the adjustment factor shall be 1.05.

(c) In order to reflect the additional expense of serving part-day preschool children, the contractor’s reported child days of enrollment for children meeting the criteria in paragraph (1), (2), or (5) (1) or (4) of subdivision (b) shall be multiplied by the adjustment factors in those subdivisions.

(d) Use of the adjustment factors shall not increase the contractor’s total annual allocation.

(e) (1) Days of enrollment for children who meet more than one of the criteria outlined in paragraphs (1) to (4), inclusive, of subdivision (b) shall not be reported under more than one of the categories specified in those paragraphs.

(2) Notwithstanding paragraph (1), for children for whom an adjustment factor is applied pursuant to any of paragraphs (1) to (4), inclusive, of subdivision (b), and who are additionally eligible for the adjustment factor established in paragraph (5) (4) of subdivision (b), reported child days of enrollment shall be multiplied by the sum of the applicable adjustment factor under paragraphs (1) to (4), inclusive, of subdivision (b) and 0.05.

(f) The difference between the reimbursement resulting from the use of the adjustment factors outlined in subdivision (b) and the reimbursement that would otherwise be received by a provider in the absence of the adjustment factors shall be used for special and appropriate services for each child for whom an adjustment factor is claimed.

SEC. 6. Section 8337 of the Education Code is amended to read:
8337. (a) The Legislature finds and declares all of the following:

(1) Early childhood inclusion embodies the values, policies, and practices that support the right of every infant and young child and their family, regardless of ability, to participate in a broad range of activities and contexts as full members of families, communities, and society. The desired results of inclusive experiences for children with and without disabilities and their families include a sense of belonging and membership, positive social relationships and friendships, and development and learning to reach their full potential. The defining features of inclusion that can be used to identify high-quality early childhood programs and services are access, participation, and supports.

(2) In accordance with the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), all young children with exceptional needs should have access to inclusive high-quality early care and education programs where they are able to learn alongside children who do not have exceptional needs and are provided with individualized and appropriate supports to enable them to meet high expectations.

(3) Inclusive early care and education programs can improve a child’s developmental progress and educational outcomes, especially for children with exceptional needs.

(4) Interventions provided to children with exceptional needs, including children who are at risk of requiring services for pupils with exceptional needs, can be more effective when a child is younger.

(5) Access to inclusive early care and education programs benefits communities and families, especially when programs are coordinated with public elementary and
secondary education systems to create a developmental and educational continuum of support.

(b) The Inclusive Early Education Expansion Program is hereby established for the purpose of increasing access to inclusive early care and education programs.

(c) The sum of one hundred sixty-seven million two hundred forty-two thousand dollars ($167,242,000) is hereby appropriated from the General Fund to the Superintendent for allocation to local educational agencies for the Inclusive Early Education Expansion Program pursuant to this section. These funds shall be available for encumbrance until June 30, 2023.

(d) The sum of five hundred million dollars ($500,000,000) is hereby appropriated from the General Fund to the Superintendent for allocation to local educational agencies for the Inclusive Early Education Expansion Program pursuant to this section. Funds shall be available for encumbrance until June 30, 2027.

(e) The department’s divisions for special education and early childhood education programs shall work collaboratively to administer the program, including developing criteria for the selection of grantees.

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

(1) A proposal to increase access to subsidized inclusive early care and education programs for children up to five years of age, including those defined as “children with exceptional needs” pursuant to Section 8205, in low-income and high-need communities. “High-need” shall be defined pursuant to the county childcare needs assessment specified in Section 10486 of the Welfare and Institutions Code and other factors as determined by the Superintendent. The proposal shall quantify the number of additional subsidized children proposed to be served, including children with exceptional needs.

(2) A plan to fiscally sustain subsidized spaces or programs created by grant funds beyond the grant period. Subsidies may be funded with private, local, state, or federal funds, but shall be able to demonstrate a reasonable expectation of sustainability.

(3) The identification of local resources to contribute 33 percent of the total award amount. The total award amount shall include state and local resources. Local resources may include in-kind contributions.

(4) The identification of resources necessary to support lead agency professional development to allow staff to develop the knowledge and skills required to implement effective inclusive practices and fiscal sustainability.

(5) A description of the special education expertise that will be used to ensure the funds are used in a high-quality, inclusive manner.

(g) This section does not prohibit a local educational agency from applying on behalf of a consortium of providers within the local educational agency’s program area, including public and private agencies that will provide inclusive early care and education programs on behalf of the applicant.

(h) Grants shall be awarded on a competitive basis. Priority shall be given to all of the following:
(1) Applicants with a demonstrated need for expanded access to inclusive early care and education.

(2) Applicants in low-income communities and applicants that represent a consortium of local partners, including local special education partners and those with expertise in inclusive early learning and care environments.

(3) Applicants who demonstrate the ability to serve a broad range of disabilities.

(4) Applicants who do or plan to serve children with disabilities in proportion to their rate of identification similar to local educational agencies in their region.

(i) Grants may be used for one-time infrastructure costs only, including, but not limited to, adaptive and universal design facility renovations, adaptive equipment, and professional development. Funds shall not be used for ongoing expenditures.

(j) A grant recipient shall commit to provide program data and participate in overall program evaluation to ensure expanded access to inclusive environments, as specified by the department, as a condition of the receipt of grant funding.

(k) The department may reserve up to 1 percent of the program funds to support an evaluation to address improved access, participation, and supports to inclusive early learning and care programs and program and child outcomes.

(l) Commencing in the 2018–19 fiscal year, the department shall convene a stakeholder workgroup that includes, but is not limited to, representatives from the relevant divisions in the department, the State Department of Developmental Services, the State Interagency Coordinating Council on Early Intervention, local educational agencies, appropriate county agencies, regional centers, and resource and referral agencies. The workgroup shall be maintained through June 30, 2023, with the goal of providing continuous improvement in the inclusion of children with exceptional needs in early care and education settings. The department shall include representatives of local educational agencies participating in the Inclusive Early Education Expansion Program established in this section and county offices of education participating in the Inclusive Early Care Pilot Program, established pursuant to Section 136 of the act adding this section, in this workgroup, when appropriate, to share challenges, barriers, and best practices.

(m) Notwithstanding subdivision (d), the Superintendent may allocate up to fifty million dollars ($50,000,000) of the amount appropriated pursuant to subdivision (d) to address state-level systems building and align local practice with the research and practice-based strategies that best promote pupil outcomes and program quality. Specific activities shall include:

(1) Providing technical assistance, practice-based coaching, and job-embedded professional learning to support grantees as necessary around inclusion, social-emotional well-being of children, and strategies to leverage all available funding for inclusive environments in early education.

(2) Developing culturally and linguistically responsive resources as needed for grantees.

(3) Providing regional supports for early education inclusion integrated into a California state preschool program support system.
(4) Facilitation of the workgroup pursuant to subdivision (l).

For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the amount appropriated in subdivision (c) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2017–18 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 2017–18 fiscal year.

For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the amount appropriated in subdivision (d) 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. 7. Article 24 (commencing with Section 8490) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 24. Identification of Developmental Delays and Learning Disabilities

8490. (a) (1) The sum of two million dollars ($2,000,000) is hereby appropriated from the General Fund to the department to develop a process and tools for early identification of children at risk for developmental delays or learning disabilities. This funding shall be available for encumbrance until June 30, 2024.

(2) (A) The process developed by the department pursuant to paragraph (1) shall include immediate identification, further evaluation as needed, support and remediation based on needs of the child, and additional referrals for services as deemed necessary.

(B) The process and tools developed by the department pursuant to paragraph (1) shall include a process for research-based early intervention, that considers the differing intervention needs children may have in areas of concern.

(3) The process and tools developed by the department pursuant to paragraph (1) shall be available for use in all California state preschool programs, transitional kindergarten programs, and kindergarten programs pursuant to guidance from the Superintendent.

(4) (A) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 33308.5, until regulations are filed with the Secretary of State to implement this subdivision, the department shall implement this subdivision through management bulletins or similar letters of instruction no later than six months after the process and tools determination is complete.

(B) The department shall initiate a rulemaking action to implement this subdivision within one calendar year of the management bulletin being released.

(b) (1) The sum of sixty million dollars ($60,000,000) is hereby appropriated from the General Fund to the Superintendent for allocation to a local educational agency or local educational agencies to support statewide systems building activities and to support the alignment of local practices with research-based strategies that best promote
pupil outcomes and program quality while also supporting the local implementation of the process and tools developed pursuant to subdivision (a). This funding shall be available for encumbrance until June 30, 2026.

(2) Specific activities supported by this funding shall include, but not be limited to, all of the following:

(A) The development of training and resources for the California state preschool program and any interested transitional kindergarten and kindergarten programs on the effective use of the process and tools and interventions developed pursuant to subdivision (a) and a tiered system of support.

(B) Provide training and practice-based coaching around the effective use of the process and tools developed pursuant to subdivision (a) and how to embed the use of the tools developed pursuant to subdivision (a) in the California state preschool program, transitional kindergarten, and kindergarten.

(C) Develop data collection and reporting systems, and a consistent process to enable the data to be used at the local and state level to improve teacher practice, enhance child outcomes, and support program evaluation.

(D) Provide in-depth coaching and assistance to California state preschool programs identified as needing additional support pursuant to the process described in subparagraph (C).

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

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

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

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

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

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

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

(4) Extended learning time and opportunities, including before and after school care and summer programs.
(b) “Consortium” means two or more local educational agencies, or one or more local educational agencies and one or more cooperating agencies.

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

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

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

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

(d) “Lead agency” means the department.

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

(f) “Network” means a group of schools that function as a learning community and are supported by a local educational agency that coordinates services and resources for their pupils, families, and staff.

(g) “Partner” means a private business, nonprofit, or foundation that provides financial assistance or otherwise assists a program operating under this chapter.

(h) “Qualifying entity” means an entity that is any of the following:

1. A local educational agency or a consortium that meets any of the following criteria, as applied to its entire pupil population:

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

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

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

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

2. A school that is not within a local educational agency that satisfies any of the criteria in paragraph (1), but the school demonstrates two or more of the criteria in paragraph (1), and the school demonstrates other factors that warrant the school’s consideration, including, but not limited to, fulfilling an exceptional need or providing service to a particular target population.

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

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

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

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

1. Health care, including all of the following:
   A. Immunizations.
   B. Vision and hearing testing and services.
   C. Dental services.
   D. Physical examinations and diagnostic and referral services.
   E. Prenatal care.
2. Mental health services, including all of the following:
   A. Primary prevention.
   B. Crisis intervention.
   C. Assessments and referrals.
3. Trauma-informed mental health care, including substance abuse prevention, early intervention, and treatment services, including all of the following:
   A. Training for teachers, early educators, and school personnel in the detection of mental health problems, the impact of trauma and toxic stress, trauma-informed care and education, building resiliency, and helping pupils and families heal.
   B. Outreach, risk assessment, and education for pupils and families.
   C. Youth-focused substance use disorder prevention and treatment programs that are culturally and gender competent, trauma informed, and evidence based.
4. Family support and parenting education, including child abuse prevention and parenting programs, such as home visits or, when in-person home visits are not possible, virtually conducted home visits.
5. Academic support services, including tutoring, mentoring, employment, and community service internships, and in-service training for teachers and administrators.
6. Counseling, including family counseling, peer-to-peer counseling, and suicide prevention.
7. Services and counseling for children who experience violence, toxic stress, or adverse childhood experiences in their communities.
8. Nutrition services to reduce food insecurity.
9. Youth development services, including tutoring, mentoring, career development, and job placement.
10. Case management services.
11. Provision of onsite or virtual Medi-Cal eligibility workers, as allowed via telehealth pursuant to Section 1320b-5 of Title 42 of the United States Code.

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

† (k) “Unduplicated pupil” has the same meaning as defined in Section 42238.02.

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

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

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

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

(3) Additional investment in community schools that provide integrated pupil supports, community partnerships, and expanded learning opportunities will help address the trauma and loss of learning that have resulted from the COVID-19 pandemic.

(b) For the 2021–22 fiscal year, the sum of two billion eight hundred thirty-six million six hundred sixty thousand dollars ($2,836,660,000) is hereby appropriated from the General Fund to the Superintendent to administer the California Community Schools Partnership Program, established by Section 117 of Chapter 24 of the Statutes of 2020, as amended by Section 63 of Chapter 110 of the Statutes of 2020, in the manner and for the purposes set forth in this section. These funds shall be available for encumbrance or expenditure until June 30, 2028. The funds shall be distributed as follows:

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

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

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

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

(3) Up to sixty million dollars ($60,000,000) shall be allocated to county offices of education serving at least two qualifying entities receiving grant funding pursuant to subdivisions (g) or (h) to coordinate county-level governmental, nonprofit, and other external partnerships to support community school implementation at qualifying entities in their county. County office of education grant award amounts under this paragraph shall be determined based on the number of qualifying entities in the county, the number of community schools, and the number of pupils served in those schools, using an allocation formula determined by the Superintendent, and provide at least two hundred thousand dollars ($200,000) and up to five hundred thousand dollars ($500,000)
annually, for three years, for each qualifying county office of education. These funds are separate from any funds county offices of education receive pursuant to paragraph (3) of subdivision (h) for serving as qualifying entities to a network of community schools.

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

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

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

1. A description and documentation of how the participating community and cooperating agencies have been and will be engaged in the community school model.
2. A description of all of the programs and services to be provided at the schoolsite, at a site near or adjacent to the school, or virtually.
3. A description of all direct and indirect resources to be used for the community school program, and the agencies responsible for the implementation of the program.
4. Provisions for data collection and recordkeeping, including records of the population served, the components of the service, the outcomes of the service, and costs, including all of the following:
   - A. Direct costs.
   - B. Indirect costs.
   - C. Costs to other agencies.
   - D. Cost savings.

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

1. Serve pupils in schools or a partner school or schools in which at least 80 percent of the pupil population are unduplicated pupils.
2. Demonstrate a need for expanded access to integrated services, including those disproportionately impacted by the COVID-19 pandemic.
3. Involve pupils, parents, certificated and classified school staff, and cooperating agency personnel in the process of identifying the needs of pupils and families, and in the planning of support services to be offered.
4. Commit to providing trauma-informed health, mental health, and social services for pupils within a multitiered system of support at or near the schoolsite, and partner with other schools, school districts, county agencies, or nongovernmental organizations.
(5) Commit For qualifying entities that serve elementary school pupils, commit to providing early care and education services for children from birth to five years of age, inclusive, through one or more local educational agencies or community-based organizations.

(6) Identify a cooperating agency collaboration process, including cosignatories, a mechanism for sharing governance, and for integrating or redirecting existing resources and other school support services.

(7) Plan to support a network of site-based community schools at schoolsites that have the capacity to ensure that services, professional development, and engagement can occur on site for all relevant interest holders.

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

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

(1) Staffing costs for a community school coordinator.

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

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

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

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

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

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

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

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

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

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

(E) Ongoing data collection and program evaluations.

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

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

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

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

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

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

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

(j) (1) Of the amount identified in paragraph (1) of subdivision (b), at least 20 percent shall be available for coordination grants to qualifying entities of up to one hundred thousand dollars ($100,000) annually per site of an existing community school, and shall be allocated, beginning with the 2024–25 fiscal year, through the 2027–28 fiscal year.

(2) The funding under paragraph (1) retained pursuant to paragraph (3) of subdivision (h) shall supplement, not supplant, existing services and funds, and shall
be used for ongoing coordination of services, management of the community school, and ongoing data collection and program evaluations.

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

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

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

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

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

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

(A) Outcome data based on measures developed in collaboration with the state board.

(B) An analysis of the nature and kind of services provided and changes made within the schools, areas of progress, and challenges to be addressed to meet the goals of the California Community Schools Partnership Program.

(C) Evidence of best practices and successful strategies.
(3) (A) The Superintendent shall provide a formative evaluation to the Governor and the appropriate policy and fiscal committees of the Legislature by December 31, 2023, and annually thereafter, ending with a final comprehensive report by December 31, 2027.

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

(2) The Superintendent shall provide a comprehensive report, on December 31, 2027, to

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

(m) 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 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. 10. Section 33005.1 is added to the Education Code, to read:

33005.1. The Governor, with the recommendation of the executive officer of the state board, shall appoint one Chief Deputy Executive Director, one Senior Deputy Director, one Deputy Legal Counsel, and two Policy Directors who shall be exempt from state civil service.

SEC. 11. Section 35780 of the Education Code is amended to read:

35780. (a) A school district that has been organized for more than three years shall be lapsed as provided in this article if the number of registered electors in the school district is less than six or if the average daily attendance of pupils in the school or schools maintained by the school district is less than six in kindergarten and grades 1 to 8, inclusive, or is less than 11 in grades 9 to 12, inclusive. The county board of education may defer the lapsation of the school district for one year upon adoption of a resolution approved by a majority of the members of the governing board of the school district and written concurrence of the county superintendent of schools. The county board of education shall make no more than three 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. 12. Section 41204.7 is added to the Education Code, to read:

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

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

SEC. 13. Section 41480 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) As applicable, be aligned to the academic content standards adopted pursuant to Sections 51226, 60605, 60605.1, 60605.2, 60605.3, 60605.4, 60605.8, and 60605.11, and the model curriculum adopted pursuant to Section 51226.7, as those sections read on June 30, 2020, and former Section 60605.85, as that section read on June 30, 2014.
(d) As a condition of receiving funds apportioned pursuant to this section, a school district, county office of education, charter school, or state special school shall do both of the following:

1. On or before December 30, 2021, or reasonably soon thereafter, develop and adopt a plan delineating the expenditure of funds apportioned pursuant to this section, including the professional development of teachers, administrators, paraprofessionals, and classified staff. The plan shall be presented in a public meeting of the governing board of the school district, county board of education, or governing body of the charter school, before its adoption in a subsequent public meeting.

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

(e) The department shall summarize the information reported pursuant to subdivision (d) and shall submit the summary to the appropriate budget subcommittees and policy committees of the Legislature and to the Department of Finance on or before November 30, 2026. The department shall determine the format for this report to optimize its production within existing resources. The report shall be submitted in compliance with Section 9795 of the Government Code.

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

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

SEC. 14. Section 41490 of the Education Code is amended to read:

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

(b) The Orange County Department of Education, in consultation with the Superintendent and the executive director of the state board, shall award no less than thirty million dollars ($30,000,000) of the amount appropriated in subdivision (a) as grants to local educational agencies for the purpose of funding schoolwide and districtwide implementation of services or practices aligned to the Multi-Tiered Systems of Support framework developed under the “Scale Up MTSS Statewide” (SUMS) project. The grants shall be awarded to local educational agencies on or before December 15, 2021. Any funds not awarded on or before December 15, 2021, shall be awarded as grants to local educational agencies on or before December 15, 2022.
(1) Grant funds awarded to local educational agencies shall be used to support the implementation of high quality integrated academic, behavioral, and social-emotional learning practices in an integrated multitiered system of support at the schoolwide level, including, but not limited to, all of the following:

   (A) Educator and leader training on the foundations of the California Multi-Tiered System of Support framework and practices, as developed by the SUMS project.
   (B) Ongoing training and coaching support to schoolsite educators and leaders in deepening the implementation of high leverage practices for integrated academic, behavioral, and social-emotional learning across tiers throughout the school community.
   (C) Ongoing training and support to school and local educational agency leaders in aligning practices, policies, and structures to create and sustain a schoolwide and agencywide integrated multitiered system of support.
   (D) Establishing school- and local educational agency-level multitiered system of support teams to support implementation efforts.

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

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

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

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

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

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

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

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

(C) Providing grants to local educational agencies to support both of the following:
   (i) Convening professional learning communities of educators and school leaders.
   (ii) Providing ongoing training and coaching to educators and school leaders.

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

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

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

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

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

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.
SEC. 15. Article 8.5 (commencing with Section 41585) is added to Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code, to read:

Article 8.5. Dual Enrollment and Accelerated College Credit Opportunities

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

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

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

(3) Enable local educational agencies to couple robust pupil advising and success supports with available dual enrollment and accelerated college credit opportunities.

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

(A) A one-time grant of up to five hundred thousand dollars ($500,000) to support a local educational agency’s costs, over a five-year period, to couple robust pupil advising and success supports with available dual enrollment and accelerated college credit opportunities.

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

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

(2) (A) A local educational agency may request grants from any, or all, of the opportunities specified in subparagraphs (A) to (C), inclusive, of paragraph (1).

(B) A local educational agency may request a grant for the purposes of subparagraph (A) of paragraph (1) for each schoolsite at which the local educational agency intends to offer dual enrollment opportunities or accelerated college credit opportunities.

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

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

(2) Twenty seven and one-half percent shall be available for the purposes of subparagraph (B) of paragraph (1) of subdivision (b).

(3) Twelve and one-half percent shall be available for the purposes of subparagraph (C) of paragraph (1) of subdivision (b).
(d) (1) A local educational agency seeking a grant under this section shall submit an application to the Superintendent at a time, in a manner, and with any appropriate information, as the Superintendent may reasonably require.

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

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

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

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

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

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

(e) It is the intent of the Legislature that courses offered to high school pupils pursuant to a College and Career Access Pathways partnership agreement established under this section predominantly consist of courses that offer pupils credit that is transferable to a public institution of higher education.

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

SEC. 16. Section 42238.02 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(II) For an acquiring charter school, the counts shall be equal to the counts reported for the original charter school. This subclause shall become inoperative on July 1, 2023, unless its operation is extended by the Legislature.
(III) For the restructured portions of a divided charter school, the counts shall be zero.

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

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

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

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

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

(1) For the 2013–14 fiscal year, a base grant of:
   (A) Six thousand eight hundred forty-five dollars ($6,845) for average daily attendance in kindergarten and grades 1 to 3, inclusive.
   (B) Six thousand nine hundred forty-seven dollars ($6,947) for average daily attendance in grades 4 to 6, inclusive.
   (C) Seven thousand one hundred fifty-four dollars ($7,154) for average daily attendance in grades 7 and 8.
   (D) Eight thousand two hundred eighty-nine dollars ($8,289) for average daily attendance in grades 9 to 12, inclusive.

(2) In each year the grade span adjusted base grants in paragraph (1) shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

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

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

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

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

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

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

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

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

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

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

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

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

(e) The Superintendent shall compute a supplemental grant add-on equal to 20 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), for each school district’s or charter school’s percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b). The supplemental grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), by 20 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in that school district or charter school.
The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(f) (1) (A) The Superintendent shall compute a concentration grant add-on equal to 50 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), for each school district’s or charter school’s percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district’s or charter school’s total enrollment. The concentration grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), by 50 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the total enrollment in that school district or charter school.

(B) Commencing with the 2021–22 fiscal year, the concentration grant add-on referenced in subparagraph (A) shall instead be equal to 65 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), for each school district’s or charter school’s percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district’s or charter school’s total enrollment. The concentration grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), by 65 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the total enrollment in that school district or charter school.

(2) (A) For a charter school physically located in only one school district, the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district in which the charter school is physically located. For a charter school physically located in more than one school district, the charter school’s percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed that of the school district with the highest percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school districts in which the charter school has a school facility. The concentration grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

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

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

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

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

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

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

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

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

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

(j) The Superintendent shall adjust the sum of each school district’s or charter school’s amount determined in subdivisions (g) to (i), inclusive, pursuant to the calculation specified in Section 42238.03, less the sum of the following:

(1) (A) For school districts, the property tax revenue received pursuant to Chapter 3.5 (commencing with Section 75) and Chapter 6 (commencing with Section 95) of Part 0.5 of Division 1 of the Revenue and Taxation Code.

(B) For charter schools, the in-lieu property tax amount provided to a charter school pursuant to Section 47635.

(2) The amount, if any, received pursuant to Part 18.5 (commencing with Section 38101) of Division 2 of the Revenue and Taxation Code.

(3) The amount, if any, received pursuant to Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code.

(4) Prior years’ taxes and taxes on the unsecured roll.

(5) Fifty percent of the amount received pursuant to Section 41603.

(6) The amount, if any, received pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code), less any amount received pursuant to Section 33401 or 33676 of the Health and Safety Code that is used for land acquisition, facility construction, reconstruction, or remodeling, or deferred maintenance and that is not an amount received pursuant to Section 33492.15, or paragraph (4) of subdivision (a) of Section 33607.5, or Section 33607.7 of the Health and Safety Code that is allocated exclusively for educational facilities.

(7) The amount, if any, received pursuant to Sections 34177, 34179.5, 34179.6, 34183, and 34188 of the Health and Safety Code.

(8) Revenue received pursuant to subparagraph (B) of paragraph (3) of subdivision (e) of Section 36 of Article XIII of the California Constitution.

(k) A school district shall annually transfer to each of its charter schools funding in lieu of property taxes pursuant to Section 47635.

(l) (1) This section does not authorize a school district that receives funding on behalf of a charter school pursuant to Section 47651 to redirect this funding for another purpose unless otherwise authorized in law pursuant to paragraph (2) or pursuant to an agreement between the charter school and its chartering authority.
(2) A school district that received funding on behalf of a locally funded charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013, or a school district that was required to pass through funding to a conversion charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42606, as that section read on January 1, 2013, may annually redirect for another purpose a percentage of the amount of the funding received on behalf of that charter school. The percentage of funding that may be redirected shall be determined pursuant to the following computation:

(A) (i) Determine the sum of the need fulfilled for that charter school pursuant to paragraph (3) of subdivision (b) of Section 42238.03 in the then current fiscal year for the charter school.

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

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

(iv) Compute a percentage by dividing the sum of the amounts computed pursuant to clauses (i) and (ii) by the amount computed pursuant to clause (iii).

(B) Multiply the percentage computed pursuant to subparagraph (A) by the amount of funding the school district received on behalf of the charter school in the 2012–13 fiscal year pursuant to paragraph (2) of subdivision (b) of Section 42605, Section 42606, and subdivision (b) of Section 47634.1, as those sections read on January 1, 2013.

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

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

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

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

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

SEC. 17. Section 42238.05 of the Education Code is amended to read:

42238.05. (a) For purposes of Sections 42238.02, 42238.025, and 42238.03, the fiscal year average daily attendance for a school district shall be computed pursuant to paragraphs (1) to (3), inclusive, as applicable.

(1) The second principal apportionment regular average daily attendance for the current fiscal year, or the prior fiscal year if the prior year average daily attendance is greater, or the average of the three most recent prior fiscal years, whichever is greater, excluding units of average daily attendance resulting from pupils attending schools funded pursuant to Article 4 (commencing with Section 42280).

(2) The units of average daily attendance resulting from pupils attending schools funded pursuant to Article 4 (commencing with Section 42280).

(3) Prior fiscal year average daily attendance shall be adjusted for any loss or gain of average daily attendance due to a reorganization or transfer of territory.

(b) For purposes of this article, regular average daily attendance shall be the base grant average daily attendance.

c) For purposes of this section, the Superintendent shall distribute total ungraded enrollment and average daily attendance among kindergarten and each of grades 1 to 12, inclusive, in proportion to the amounts of graded enrollment and average daily attendance, respectively, in each of these grades.

d) Subdivisions (a) to (c), inclusive, shall only apply to average daily attendance generated by school districts and shall not apply to average daily attendance generated by charter schools.

(e) A pupil shall not be counted more than once for purposes of calculating average daily attendance pursuant to this section.

(f) For purposes of Sections 42238.02, 42238.025, and 42238.03, average daily attendance for a charter school shall be the total current year average daily attendance in the corresponding grade level ranges for the charter school.

SEC. 18. Section 42238.051 of the Education Code is amended to read:

42238.051. (a) For purposes of paragraph (1) of subdivision (a) of Section 42238.05, a sponsoring school district’s average daily attendance shall be computed as follows:

(1) Compute the sponsoring school district’s regular average daily attendance in the current fiscal year, excluding the attendance of pupils in charter schools.

(2) (A) Compute the regular average daily attendance used to calculate the second principal apportionment of the school district for the three most recent prior year fiscal years, 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 shall 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 shall 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).

(B) For the purpose of computing attendance for the three most recent prior fiscal years pursuant to subparagraph (A), the following adjustments shall be made:

(i) For pupils attending a noncharter school of the school district between July 1, and the last day of the second attendance period, inclusive, in the current fiscal year, who attended a charter school sponsored by the school district in any of the three prior fiscal years, the amount of second period attendance generated by that pupil at the charter school shall increase the sponsoring school district’s attendance for the respective prior fiscal year.

(ii) For pupils attending a charter school between July 1, and the last day of the second attendance period, inclusive, in the current fiscal year, inclusive, who attended a noncharter school of the sponsoring district in any of the three prior fiscal years, the amount of second period attendance generated by that pupil shall decrease the sponsoring school district’s attendance for the respective prior fiscal year.

(iii) For purposes of clauses (i) and (ii), a pupil enrolled in a grade at a charter school sponsored by the school district shall not be counted if the school district does not offer classes for pupils enrolled in that grade.

(iv) For the 2022–23 fiscal year, an adjustment shall not be made to attendance in the second and third prior fiscal years.

(v) For the 2023–24 fiscal year, an adjustment shall not be made to attendance in the third prior fiscal year.

(3) To the greater of the amounts computed pursuant to paragraphs (1) and (2), add the regular average daily attendance in the current fiscal 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. 19. Section 42238.052 of the Education Code is amended to read:

42238.052. (a) Notwithstanding any other law, the prior year average daily attendance for a school district determined pursuant to subdivision (a) of Section 42238.051 shall be increased by the prior year second principal apportionment average
daily attendance of a school district only for a school that meets the following description:

1. The school was a district noncharter school in any year before the prior year.
2. The school was operated as a district-approved charter school in the prior year.
3. The school is again operated as a district noncharter school in the current year.

(b) An adjustment to prior year average daily attendance pursuant to this section may not be made for the attendance of pupils who were not residents of the school district in the prior year.

(c) This section shall remain in effect only until July 1, 2022, and as of that date is repealed.

SEC. 20. Section 42280 of the Education Code is amended to read:

42280. (a) For each school district that meets, in the current or prior fiscal year, the conditions specified in Section 42282 or 42284 the Superintendent shall compute, for each qualifying school in the school district, an amount pursuant to this article.

(b) The amount of funding for each qualified school district shall equal the greater of either any of the following:

1. The sum of necessary small elementary school allowances determined pursuant to Section 42282 for the prior fiscal year average daily attendance and the number of full-time teachers, and necessary small high school allowances determined pursuant to Section 42284 for the prior fiscal year average daily attendance and the number of certificated employees.

2. The sum of necessary small elementary school allowances determined pursuant to Section 42282 for the current fiscal year average daily attendance and the number of full-time teachers, and necessary small high school allowances determined pursuant to Section 42284 for the current fiscal year average daily attendance and the number of certificated employees.

3. The sum of necessary small elementary school allowances determined pursuant to Section 42282 for the average of the three most recent prior fiscal years’ average daily attendance and the number of full-time teachers, and necessary small high school allowances determined pursuant to Section 42284 for the average of the three most recent prior fiscal years’ average daily attendance and the number of certificated employees.

(c) For purposes of this section, if the average number of full-time teachers or certificated employees is not a whole number, the resulting figure shall be rounded up to the next whole number.

SEC. 21. Section 44690 of the Education Code is amended to read:

44690. (a) The Legislature finds and declares all of the following:

1. Skilled school and school district leaders are critical for building a strong and stable workforce, and for making the important shifts in practice envisioned by the local control funding formula and the Common Core State Standards.

2. Strong leadership is a key predictor of pupil achievement, and highly skilled leadership is critical to successful improvement efforts for local educational agencies and schools.

3. The roles of principals and other school leaders have evolved considerably since the California School Leadership Academy was first established more than three
decades ago, with a broad range of knowledge, skills, and competencies needed to successfully support success for the diverse learners served in California public schools.

(4) Focused investments in leadership development for principals and other school leaders will benefit pupils and staff at California’s public schools and, ultimately, improve outcomes for pupils.

(b) The 21st Century California School Leadership Academy is hereby established.

(c) (1) The department and the California Collaborative for Educational Excellence shall establish a process, administered by the department, to organize and offer professional learning opportunities, and to select, subject to approval by the executive director of the state board, providers of high-quality professional learning for administrators and other school leaders to receive grants in a manner that ensures the availability of professional learning through the 21st Century California School Leadership Academy, free of charge, to local educational agencies that receive federal Title II funds on a statewide basis.

(2) In designing professional learning opportunities and in selecting grantees pursuant to this section, the department and the California Collaborative for Educational Excellence shall ensure that professional learning provided through the 21st Century California School Leadership Academy includes all of the following:

(A) Training and coaching for principals and other school leaders in critical areas identified by the department and the California Collaborative for Educational Excellence, in consultation with the executive director of the state board.

(B) Training mentors for novice principals and teachers.

(C) Training coaches to support leaders in high-need settings.

(D) Training for central office leaders, principals, and other school leaders, including teacher leaders, involved in school improvement efforts.

(3) Professional learning opportunities may include, but are not necessarily limited to, coaching and training around supporting effective standards-aligned instruction and other instruction that promotes critical thinking, inclusive practices, social-emotional learning, restorative practices and other alternative behavioral programs, implementing effective language acquisition programs for English learners, strategies for addressing performance gaps among pupil groups, leveraging wraparound services to support healthy development of pupils, civic engagement, building collegial environments, effectively engaging parents and guardians, and using resources provided by the department related to the California Assessment of Student Performance and Progress system established pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4, such as formative or interim assessments, to improve outcomes for pupils.

(4) In designing and offering professional learning opportunities and in selecting grantees pursuant to this section, the department and the California Collaborative for Educational Excellence shall ensure that professional learning is provided through the 21st Century California School Leadership Academy in a manner that is consistent with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4.

(d) Grantees eligible to be selected pursuant to this section shall be limited to local educational agencies, institutions of higher education, and nonprofit educational services providers.
(e) Priority for professional learning through this program may be given to school districts and county offices of education eligible to receive differentiated assistance pursuant to Sections 52071 and 52071.5 and schools identified for comprehensive support as described in Section 1003(e)(1)(B) of the federal Every Student Succeeds Act.

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

(2) The department and the California Collaborative for Educational Excellence shall evaluate the professional learning opportunities offered or funded through the 21st Century California School Leadership Academy for their effectiveness. The process for selecting grantees shall ensure that grantees identify metrics to measure the effectiveness of the professional learning provided and under which the grantees will be evaluated in performing the duties specified in this section. The department and the California Collaborative for Educational Excellence shall establish criteria and measures to assess the performance of the grantees in performing the duties specified in this section. When performing these activities, the California Collaborative for Educational Excellence may enter into appropriate contracts to assist with program evaluation, as necessary.

(3) At the conclusion of each grant term, the department and the California Collaborative for Educational Excellence may renew the selection of the grantees or reopen the selection process in a manner consistent with subdivision (c).

(4) Before renewing the selection of a grantee, the department and the California Collaborative for Educational Excellence shall evaluate the grantee’s performance relative to the metrics identified criteria and measures established pursuant to paragraph (2) and the grantee’s success in fulfilling the purposes of this section.

(g) Grantees receiving funds pursuant to this section shall provide program information to, and as needed by, the department and the California Collaborative for Educational Excellence as a condition of receiving the funds. Funds, including participating in any external evaluation coordinated by the California Collaborative for Educational Excellence.

SEC. 22. Section 46120 of the Education Code is amended to read:

46120. (a) (1) It is the intent of the Legislature that all local educational agencies offer all unduplicated pupils in classroom-based instructional programs access to comprehensive after school and intersessional expanded learning opportunities.

(2) The Expanded Learning Opportunities Program is hereby established.

(b) (1) Commencing with the 2021–22 school year, local educational agencies that receive funds pursuant to subdivision (d) shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50 percent of enrolled unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Funding received pursuant to this section for the 2021–22 and 2022–23 school year shall be expended to develop an expanded learning opportunity program or provide services in accordance with program requirements. Commencing with the 2022–23 to 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (A) (B) of paragraph (1) of subdivision (d), all local educational agencies shall offer to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs, and shall ensure that access is
provided to any pupil whose parent or guardian requests their placement in a program. Commencing with the 2023–24 school year, as a condition of receipt of funds allocated pursuant to subparagraph (C) of paragraph (1) of subdivision (d), local educational agencies shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50 percent of enrolled unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Expanded learning opportunity programs shall include all of the following:

(A) On schooldays, as described in Section 46100 and Sections 46110 to 46119, inclusive, and days on which school is taught for the purpose of meeting the 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations, in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and lunch, are no less than nine hours of combined instructional time, recess, lunch, and expanded learning opportunities per instructional day.

(B) For at least 30 nonschooldays, during intersessional periods, no less than nine hours of in-person expanded learning opportunities per day.

(2) Local educational agencies operating expanded learning opportunity programs pursuant to this section may operate a before school component of a program, an after school component of a program, or both the before and after school components of a program, on one or multiple schoolsites, and shall comply with subdivisions (c), (d), and (g) of Section 8482.3, including the development of a program plan based on all of the following:

(A) The department’s guidance.

(B) Section 8482.6.

(C) Paragraphs (1) to (9), inclusive, and paragraph (12) of subdivision (c) of Section 8483.3.

(D) Section 8483.4, except that programs serving transitional kindergarten or kindergarten pupils shall maintain a pupil-to-staff member ratio of no more than 10 to 1.

(3) Local educational agencies shall prioritize services provided pursuant to this section at schoolsites in the lowest income communities, as determined by prior year percentages of pupils eligible for free and reduced-price meals, while maximizing the number of schools and neighborhoods with expanded learning opportunities programs across their attendance area.

(4) Local educational agencies may serve all pupils, including elementary, middle, and secondary school pupils, in expanded learning opportunity programs provided pursuant to this section.

(5) Local educational agencies may charge pupil fees for expanded learning opportunity programs provided pursuant to this section, consistent with Section 8482.6.

(6) Local educational agencies are encouraged to collaborate with community-based organizations and childcare providers, especially those participating in state or federally subsidized childcare programs, to maximize the number of expanded learning opportunities programs offered across their attendance areas.

(7) This section does not limit parent choice in choosing a care provider or program for their child outside of the required instructional minutes provided during a schoolday. Pupil participation in an expanded learning opportunities program is
optional. Children eligible for an expanded learning opportunities program may participate in, and generate reimbursement for, other state or federally subsidized childcare programs, pursuant to the statutes regulating those programs.

(c) (1) A local educational agency shall be subject to the audit conducted pursuant to Section 41020 to determine compliance with subdivision (b).

(2) Commencing with the 2023–24 school year, if a local educational agency fails to offer or provide access to expanded learning opportunity programs pursuant to paragraph (1) of subdivision (b), the Superintendent shall withhold from the local educational agency’s apportionment of funds pursuant to subdivision (d) an amount proportionate to the number of pupils to whom the local educational agency failed to offer or provide access to expanded learning opportunity programs.

(3) Commencing with the 2023–24 school year, if a school district fails to maintain the required number of days or hours described in subparagraphs (A) and (B) of paragraph (1) of subdivision (b), the Superintendent shall withhold from the school district’s apportionment of funds pursuant to subdivision (d) an amount equal to the product of 0.0048 times the school district’s apportionment for each day the school district fails to meet the day or hour requirements. Commencing with the 2023–24 school year, if a charter school fails to maintain the required number of days or hours described in subparagraphs (A) and (B) of paragraph (1) of subdivision (b), the Superintendent shall withhold from the charter school’s apportionment an amount equal to the product of 0.0049 times the charter school’s apportionment for each day the charter school fails to meet the day or hour requirements.

(d) (1) The Superintendent shall allocate funding appropriated in Item 6100-110-0001 of the annual Budget Act and in subdivision (f), if applicable, in the following manner:

(A) For the 2021–22 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 80 percent, the amount of one thousand one hundred seventy dollars ($1,170) per unit of the local educational agency’s prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency’s unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(B) Commencing with the 2022–23 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 75 percent, the amount of two thousand five hundred dollars ($2,500) per unit of the local educational agency’s prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency’s unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(C) For all other local educational agencies not receiving an allocation under subparagraph (A), (A) and (B), the amount of funds remaining from the appropriations in Item 6100-110-0001 of the annual Budget Act and subdivision (f), if applicable,
after the amount allocated pursuant to subparagraph (A), (A) and (B), shall be allocated on a per-unit basis of the local educational agency’s prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency’s unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

(2) A local educational agency with prior year classroom-based average daily attendance in kindergarten and grades 1 to 6, inclusive, shall not receive funding pursuant to paragraph (1) of less than fifty thousand dollars ($50,000).

(3) Funds provided to a local educational agency pursuant to paragraph (1) shall be used to support pupil access to expanded learning opportunity programs, which may include hiring literacy coaches to assist pupils as part of the local educational agency’s program enrichment activities.

(4) A local educational agency receiving funding pursuant to subparagraph (A) of paragraph (1) shall be provided at least three years of funding pursuant to subparagraph (A) of paragraph (1) upon becoming eligible to receive funding pursuant to that subparagraph. A local educational agency that does not meet the requirements of subparagraph (A) of paragraph (1) for four consecutive years shall be ineligible to receive funding pursuant to that subparagraph. This paragraph does not apply to school districts that are reorganized pursuant to Section 35511 in the first year of the reorganization.

(5) It is the intent of the Legislature to increase rates for expanded learning opportunities in future years to two thousand five hundred dollars ($2,500) per unduplicated pupil on a schedule to be determined each year in the annual Budget Act pursuant to the availability of funds, prioritizing increases based on the local control funding formula unduplicated pupil percentages calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 for local educational agencies.

(6) The Superintendent shall proportionately reduce the amount of funding allocated pursuant to this section for a charter school that has ceased operation during the school year if school was actually taught in the charter school on fewer than 175 calendar days during that school year. The reduction shall be commensurate to the number of days that the charter school failed to operate due to the closure.

(7) For the 2021–22 fiscal year only, a school district or charter school may expend the funds received pursuant to this subdivision from the 2021–22 fiscal year to the 2022–23 fiscal year, inclusive. For the 2022–23 fiscal year, a school district or charter school may expend the funds received pursuant to this subdivision from the 2022–23 fiscal year to the 2023–24 fiscal year.

(8) (A) For reorganized school districts, the prior fiscal year percentage of unduplicated pupils for purposes of subparagraph (A) or (B) of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by all of two or more existing districts, combine the unduplicated pupils and total pupil enrollment of the original school districts.

(ii) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, formed by parts of one or more existing districts, and for the remaining portion of a divided
district, or for a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the county office of education with jurisdiction over the reorganized school district may provide to the department, under timelines and procedures established by the Superintendent, the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized district, and the prior fiscal year unduplicated pupil percentage may be based on the unduplicated pupils and total pupil enrollment attributed to each reorganized school district. If the county office of education with jurisdiction over the reorganized school district does not provide to the department the unduplicated pupils and total pupil enrollment for the prior three fiscal years from each affected school district that will be served by each reorganized school district, the unduplicated pupils and total pupil enrollment shall be equal to the counts reported for the original school district.

(B) For reorganized school districts, the prior fiscal year average daily attendance for purposes of subparagraph (A) or (B) of paragraph (1) shall be calculated as follows:

(i) For a new or acquiring school district that has reorganized pursuant to paragraph (1), (2), or (3) of subdivision (a), or subdivision (b), of Section 35511, the sum of the average daily attendance of the original school districts.

(ii) For a remaining portion of a divided school district, the average daily attendance attributed to that portion of the school district.

(iii) For a new school district formed as a result of a deunification pursuant to paragraph (4) of subdivision (a) of Section 35511, the average daily attendance of the former school district shall be attributed to the new school districts so that the sum of the average daily attendance for the new school districts equals the average daily attendance of the former school district.

(iv) For purposes of clauses (i), (ii) and (iii), the county superintendent of schools with jurisdiction over the reorganized school district shall provide to the department the prior fiscal year average daily attendance as of the second principal apportionment from each affected school district that will be served by each reorganized district.

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

(1) “Expanded learning opportunities” has the same meaning as “expanded learning” is defined in Section 8482.1. “Expanded learning opportunities” does not mean an extension of instructional time, but rather, opportunities to engage pupils in enrichment, play, nutrition, and other developmentally appropriate activities.

(2) “Local educational agency” means a school district or charter school, excluding a charter school established pursuant to Section 47605.5.

(3) “Unduplicated pupil” has the same meaning as in Section 42238.02.

(f) For the 2021–22 fiscal year, the sum of seven hundred fifty-four million twenty-one thousand dollars ($754,021,000) is hereby appropriated from the General Fund to the Superintendent for allocation for the Expanded Learning Opportunities Program in the manner and for the purpose set forth in this section.

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

SEC. 23. Section 47606.5 of the Education Code is amended to read:

47606.5. (a) On or before July 1, 2015, and each year thereafter, the governing body of a charter school shall hold a public hearing to adopt a local control and accountability plan using a template adopted by the state board. The governing body of a charter school shall update the goals and annual actions to achieve those goals identified in the charter petition pursuant to subparagraph (A) of paragraph (5) of subdivision (c) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, using the template for the local control and accountability plan and annual update to the local control and accountability plan adopted by the state board pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the charter, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes to the specific actions the charter school will make as a result of the review and assessment.

(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1).

(b) For purposes of the review required by subdivision (a), a governing body of a charter school may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(c) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(d) The charter school shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.

(e) The governing body of a charter school shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing, and the local control and accountability plan or annual update to the local control and accountability plan shall be made available for public inspection at each site operated by the charter school.

(f) The governing body of a charter school may adopt revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The governing body of a charter school may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

(g) Pursuant to Section 47604.33, the charter school shall submit the adopted or revised local control and accountability plan pursuant to this section to its chartering
authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority.

(h) The charter school shall prominently post on the home page of the internet website of the charter school any local control and accountability plan adopted by the governing board of the charter school, and any updates or revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing body of the charter school.

SEC. 24. Section 51225.31 is added to the Education Code, to read:

51225.31. (a) (1) Notwithstanding any other law, a local educational agency shall exempt an individual with exceptional needs who satisfies the eligibility criteria described in subdivision (b) from all coursework and other requirements adopted by the governing board or governing body of the local educational agency that are additional to the statewide coursework requirements specified in Section 51225.3 and shall award the pupil a diploma of graduation from high school, as described in Section 7801(23)(A)(ii)(I)(bb) of Title 20 of the United States Code.

(2) In accordance with Section 300.102(a)(3) of Title 34 of the Code of Federal Regulations, the award of a diploma of graduation from high school pursuant to this subdivision does not change a local educational agency’s obligation to provide a free appropriate public education or otherwise constitute a change in placement.

(b) An individual with exceptional needs shall be eligible for the exemption and award described in subdivision (a) if their individualized education program provides for all of the following:

(1) The pupil is required to take the alternate assessment aligned to alternate achievement standards in grade 11, as described in subdivision (k) of Section 60640.

(2) The pupil is required to complete state standards aligned coursework to meet the statewide coursework requirements specified in Section 51225.3.

(c) Before a pupil commences grade 10, the pupil’s individualized education program team shall determine and notify the parent or guardian of the pupil of whether the pupil may be eligible to graduate pursuant to the exemption described in this section.

(d) An individual with exceptional needs who meets the criteria for a diploma of graduation from high school pursuant to this section shall be eligible to participate in any graduation ceremony and any school activity related to graduation in which a pupil of similar age would be eligible to participate. Participation in graduation activities shall not be construed as termination of the provision of free appropriate public education, consistent with Section 300.102(a)(3)(ii) of Title 34 of the Code of Federal Regulations.

(e) For purposes of this section, “local educational agency” includes a school district, county office of education, charter school, or state special school.

SEC. 25. Section 51744 is added to the Education Code, immediately preceding Section 51745, to read:

51744. (a) The Legislature finds and declares that by offering a range of quality educational options, including classroom-based, hybrid, and nonclassroom-based programs, local educational agencies can better tailor instruction to pupils, thereby improving academic outcomes while maximizing enrollment.

(b) It is the intent of the Legislature that local educational agencies offer educational programs that best serve the needs of their pupils.
(c) It is also the intent of the Legislature to encourage local educational agencies, when adopting a written policy pursuant to Section 51747, to consider offering more than one independent study model for short- and long-term placements in accordance with Sections 51747, 51747.5, 51749.5, and 51749.6.

SEC. 26. Section 51745 of the Education Code is amended to read:

51745. (a) Commencing with the 1990–91 school year, a local educational agency may offer independent study to meet the educational needs of pupils in accordance with the requirements of this article. For the 2021–22 school year only, the governing board of a school district or a county office of education shall offer independent study to meet the educational needs of pupils. Educational opportunities offered through independent study may include, but shall not be limited to, the following:

(1) Special assignments extending the content of regular courses of instruction.
(2) Individualized study in a particular area of interest or in a subject not currently available in the regular school curriculum.
(3) Individualized alternative education designed to teach the knowledge and skills of the core curriculum. Independent study shall not be provided as an alternative curriculum.
(4) Continuing and special study during travel.
(5) Volunteer community service activities and leadership opportunities that support and strengthen pupil achievement.
(6) Individualized study for a pupil whose health would be put at risk by in-person instruction, as determined by the parent or guardian of the pupil, or a pupil who is unable to attend in-person instruction due to a quarantine due to exposure to, or infection with, COVID-19, pursuant to local or state public health guidance.

(b) Not Beginning July 1, 2021, with the exception of pupils participating in independent study programs due to an emergency, as described in Sections 41422 and 46392, not more than 10 percent of the pupils participating in an opportunity school or program, or a continuation high school, calculated as specified by the department, shall be eligible for apportionment credit for independent study pursuant to this article. A pupil who is pregnant or is a parent who is the primary caregiver for one or more of their children shall not be counted within the 10 percent cap.

(c) An individual with exceptional needs, as defined in Section 56026, shall not participate in independent study, unless the pupil’s individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

(d) A temporarily disabled pupil shall not receive individual instruction pursuant to Section 48206.3 through independent study.

(e) No course included among the courses required for high school graduation under Section 51225.3 shall be offered exclusively through independent study.

(f) The governing board of a school district or county office of education may meet the requirement to offer independent study for the 2021–22 school year described in subdivision (a) by contracting with a county office of education or by entering into
an interdistrict transfer agreement with another school district pursuant to Section 46600.

(g) The requirement to offer independent study for the 2021–22 school year described in subdivision (a) may be waived for school districts by the county superintendent of schools in the county in which the school district is located and waived for county offices of education and school districts in single-district counties by the Superintendent if the school district or county office of education, as applicable, demonstrates both of the following:

(1) Offering independent study would create an unreasonable fiscal burden on the school district or county office of education due to low numbers of pupils participating or other extenuating circumstances.

(2) The governing board of the school district or county office of education does not have the option to enter into an interdistrict transfer agreement with another school district or to contract with a county office of education to provide an independent study option, as described in subdivision (f).

SEC. 27. Section 51745.5 of the Education Code is amended to read:

51745.5. For purposes of this article the following definitions apply:

(a) “Live interaction” means interaction between the pupil and local educational agency classified or certificated staff, and may include peers, provided for the purpose of maintaining school connectedness, including, but not limited to, wellness checks, progress monitoring, provision of services, and instruction. This interaction may take place in person, or in the form of internet or telephonic communication.

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

(c) “Pupil-parent-educator conference” means a meeting involving, at a minimum, all parties who signed the pupil’s written independent study agreement pursuant to subdivision (g) of Section 51747 or the written learning agreement pursuant to subdivision (b) of Section 51749.6.

(d) “Synchronous instruction” means classroom-style instruction or designated small group or one-on-one instruction delivered in person, or in the form of internet or telephonic communications, and involving live two-way communication between the teacher and pupil. Synchronous instruction shall be provided by the teacher or teachers of record for that pupil, appropriate to the subject matter being taught, pursuant to Section 51747.5 or the certificated employee of the local educational agency providing instruction for course-based independent study.

SEC. 28. Section 51746 of the Education Code is amended to read:

51746. It is the intent of the Legislature that school districts and county offices of education offering independent study shall provide appropriate existing services and resources to enable pupils to complete their independent study successfully and shall ensure the same access to all existing services and resources in the school in which the pupil is enrolled pursuant to Section 51748 as is available to all other pupils in the school. In addition, the services and resources may include, but need not be limited to, any of the following:

(a) A designated learning center or study area staffed by appropriately trained personnel.

(b) The services of qualified personnel to assess the achievement, abilities, interests, aptitudes, and needs of participating pupils to determine each of the following:
(1) Whether full-time independent study is the most appropriate alternative placement for the pupil being referred.

(2) If the answer to paragraph (1) is affirmative, the determination of the most appropriate individualized plan and resources to be made available to pupils enrolled in full-time independent study.

SEC. 29. Section 51747 of the Education Code is amended to read:

51747. A local educational agency shall not be eligible to receive apportionments for independent study by pupils, regardless of age, unless it has adopted written policies, and has implemented those policies, pursuant to rules and regulations adopted by the Superintendent, that include, but are not limited to, all of the following:

(a) The maximum length of time, by grade level and type of program, that may elapse between the time an independent study assignment is made and the date by which the pupil must complete the assigned work.

(b) (1) The level of satisfactory educational progress and the number of missed assignments that will be allowed before an evaluation is conducted to determine whether it is in the best interests of the pupil to remain in independent study, or whether the pupil should return to the regular school program. A written record of the findings of any evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

(2) Satisfactory educational progress shall be determined based on all of the following indicators:

(A) The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in paragraphs (4) and (5) of subdivision (d) of Section 52060.

(B) The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.

(C) Learning required concepts, as determined by the supervising teacher.

(D) Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

(c) The provision of content aligned to grade level standards that is provided at a level of quality and intellectual challenge substantially equivalent to in-person instruction. For high schools, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A–G admissions criteria.

(d) Procedures for tiered reengagement strategies for all pupils who are not generating attendance for more than three schooldays or 60 percent of the instructional days in a school week, or 10 percent of required minimum instructional time over four continuous weeks of a local educational agency’s approved instructional calendar, pupils found not participatory pursuant to Section 51747.5 for more than the greater of three schooldays or 60 percent of the scheduled days of synchronous instruction in a school month as applicable by grade span, or pupils who are in violation of the written agreement pursuant to subdivision (g). These procedures shall include referral to a local attendance review board and local programs intended to address...
chronic absenteeism, as applicable, and shall include, but are not necessarily limited to, all of the following:

1. Verification of current contact information for each enrolled pupil.
2. Notification to parents or guardians of lack of participation within one school day of the recording of a non-attendance day or lack of participation.
3. A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.
4. A clear standard for requiring a pupil-parent-educator conference to review a pupil’s written agreement, and reconsider the independent study program’s impact on the pupil’s achievement and well-being, consistent with the policies adopted pursuant to paragraph (4) of subdivision (g).

(e) (1) For pupils in transitional kindergarten and grades 1 to 3, inclusive, a plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year.

(2) For pupils in grades 4 to 8, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.

(3) For pupils in grades 9 to 12, inclusive, a plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year.

(f) A plan to transition pupils whose families wish to return to in-person instruction from independent study expeditiously, and, in no case, later than five instructional days.

(g) A requirement that a current written agreement for each independent study pupil shall be maintained on file, including, but not limited to, all of the following:

1. The manner, time, frequency, and place for submitting a pupil’s assignments, for reporting the pupil’s academic progress, and for communicating with a pupil’s parent or guardian regarding a pupil’s academic progress.
2. The objectives and methods of study for the pupil’s work, and the methods used to evaluate that work.
3. The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.
4. A statement of the policies adopted pursuant to subdivisions (a) and (b) regarding the maximum length of time allowed between the assignment and the completion of a pupil’s assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in independent study.

5. The duration of the independent study agreement, including the beginning and ending dates for the pupil’s participation in independent study under the agreement. No independent study agreement shall be valid for any period longer than one school year.

6. A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the agreement, to be earned by the pupil upon completion.

7. A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support
in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil’s individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

(8) The inclusion of a statement in each independent study agreement that independent study is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through independent study only if the pupil is offered the alternative of classroom instruction.

(9) (A) Each for independent study programs projected to last more than 14 school days for an individual pupil, each written agreement shall be signed, before the commencement of independent study, by the pupil, the pupil’s parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil; the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. Beginning in the 2022–23 school year, for independent study programs projected to last less than 15 school days for an individual pupil, each written agreement shall be signed within 10 school days of the commencement of independent study, by the pupil, the pupil’s parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For purposes of this paragraph “caregiver” means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.

(B) Signed written agreements, supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred may be maintained as an electronic file.

(C) For purposes of this section, an electronic file includes a computer or electronic stored image of an original document, including, but not limited to, portable document format (PDF), JPEG, or other digital image file type, that may be sent via fax machine, email, or other electronic means.

(D) Either an original document or an electronic file of the original document is allowable documentation for auditing purposes.

(E) Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the department, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.

(F) Notwithstanding subparagraph (A), for the 2021–22 school year only, a local educational agency shall obtain a signed written agreement for an independent study program of any length of time from the pupil, or the pupil’s parent or legal guardian
if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and all persons who have direct responsibility for providing assistance to the pupil, the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable, no later than 30 days after the first day of instruction in an independent study program or October 15, whichever date comes later. This subparagraph does not relieve a local educational agency from the obligation to comply with the requirements of this article, as amended by the act adding this subparagraph, upon commencement of instruction for a participating pupil in the 2021–22 school year.

(h) (1) For the 2021–22 school year only, school districts and county offices of education shall notify the parents and guardians of all enrolled pupils of their options to enroll their child in in-person instruction or independent study during the 2021–22 school year. This notice shall include written information on the local educational agency’s internet website, including, but not limited to, the right to request a pupil-parent-educator conference meeting before enrollment pursuant to this section, pupil rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the synchronous and asynchronous instructional time that a pupil will have access to as part of independent study. If 15 percent or more of the pupils enrolled in a local educational agency that provides instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the department pursuant to Section 52164 in the preceding year, the written information shall, in addition to being written in English, be written in the primary language.

(2) Upon the request of the parent or guardian of a pupil, before signing a written agreement pursuant to this section, the parent or guardian of a pupil may request that the local educational agency shall conduct a telephone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the pupil, parent or guardian, and, if requested by the pupil or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the pupil in independent study, before making the decision about enrollment or disenrollment in the various options for learning.

(i) Subdivisions (d), (e), and (f) shall not apply to pupils that participate in an independent study program for fewer than 15 schooldays in a school year.

(j) (1) Notwithstanding paragraph (8) of subdivision (g) of this section, paragraph (1) of subdivision (e) of Section 46300, and subdivision (d) of Section 51745, for the 2021–22 school year only, a local educational agency shall be eligible to receive apportionments for independent study for pupils that are subject to quarantine for exposure to, or infection with, COVID-19 pursuant to local or state health guidance, and the pupil cannot participate in classroom-based instruction due to the quarantine, and for school closures due to COVID-19 pursuant to subdivision (c) of Section 41422. Local educational agencies shall receive apportionment for these pupils for all schooldays that they participate in and meet all other apportionment requirements of independent study while in quarantine or during a school closure.

(2) Notwithstanding Section 47612.5, for the 2021–22 fiscal year, a classroom-based charter school that provides an independent study program pursuant
to this article for pupils that are subject to quarantine for exposure to, or infection with, COVID-19 pursuant to local or state health guidance, and the pupil cannot participate in classroom-based instruction due to the quarantine, shall not attribute quarantine-based independent study average daily attendance required pursuant to law for a nonclassroom-based charter school pursuant to Section 47612.5 and shall not be required to submit a request for a funding determination as a result of providing independent study to quarantined pupils.

(3) This subdivision shall apply only to pupils participating in independent study due to quarantine who do not have the option of in-person instruction, and only for the period of quarantine mandated pursuant to state or local health guidance or order. This subdivision shall not apply to classroom-based charter schools offering independent study to pupils whose parents or guardians have requested independent study pursuant to subdivision (a) of Section 51745.

(k) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of the adoption of the policies required pursuant to this section, including loss of apportionment for independent study for local educational agencies found to be noncompliant, unless compliance verification for those policies is already included in the audit guide.

(l) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 30. Section 51747.5 of the Education Code is amended to read:

51747.5. (a) The independent study by each pupil shall be coordinated, evaluated, and, notwithstanding subdivision (a) of Section 46300, shall be under the general supervision of an employee of the local educational agency who possesses a valid certification document pursuant to Section 44865 or an emergency credential pursuant to Section 44300, registered as required by law.

(b) (1) A local educational agency may claim apportionment credit for independent study only to the extent of the time value of pupil work products, as personally judged in each instance by a certificated teacher employed by the local educational agency. It is the intent of the Legislature that teachers be given access to digital assignment tracking systems to reduce workload associated with evaluating and accounting for pupil work.

(2) For the purposes of this section, “pupil work products” refers to physical or digital academic assignments completed by a pupil. If a local educational agency provides asynchronous instruction via videos, interactive software, or other methods that do not allow for a tangible work product, “pupil work products” may include the creation of notes or written summaries associated with other asynchronous work, such as reading texts, watching videos, quizzes, or projects related to synchronous or asynchronous instruction, and products such as papers, audio or video recordings, or other means by which pupils demonstrate what they have learned. “Pupil work products” may also include the pupil’s participation in activities during synchronous online instruction that is documented by the teacher.

(c) A local educational agency shall document each pupil’s participation in live interaction and synchronous instruction pursuant to Section 51747 on each schoolday, as applicable, in whole or in part, for which live interaction or synchronous instruction
is provided as part of the independent study program. A pupil who does not participate in scheduled live interaction or synchronous instruction shall be documented as nonparticipatory for that schoolday for purposes of pupil participation reporting and tiered reengagement pursuant to Section 51747.

(d) A local educational agency shall maintain written or computer-based evidence of pupil engagement that includes, but is not limited to, a grade book or summary document that, for each class, lists all assignments, assessments, and associated grades.

(e) For purposes of this section, a local educational agency shall not be required to sign and date pupil work products when assessing the time value of pupil work products for apportionment purposes.

(f) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) to (d), inclusive, unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.

(g) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 31. Section 51749.5 of the Education Code is amended to read:
51749.5. (a) Notwithstanding any other law, and commencing with the 2015–16 school year, a local educational agency may, for pupils enrolled in kindergarten and grades 1 to 12, inclusive, provide independent study courses pursuant to the following conditions:

(1) The governing board or body of the local educational agency adopts policies, at a public meeting, that comply with the requirements of this section and any applicable regulations adopted by the state board.

(2) A signed learning agreement is completed and on file pursuant to Section 51749.6.

(3) Courses are taught under the general supervision of certificated employees who hold the appropriate subject matter credential pursuant to Section 44300 or 44865, or subdivision (f) of Section 47605, and are employed by the local educational agency at which the pupil is enrolled, or by a local educational agency that has a memorandum of understanding to provide the instruction in coordination with the local educational agency at which the pupil is enrolled.

(4) (A) Courses are annually certified, by local educational agency governing board or body resolution, to be of the same rigor, educational quality, and intellectual challenge substantially equivalent to in-person instruction and equivalent classroom-based courses, and shall be aligned to all relevant local and state content standards. For high schools, this shall include access to all courses offered by the local educational agency for graduation and approved by the University of California or the California State University as creditable under the A-G admissions criteria.

(B) This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each schoolday that a pupil is enrolled, number of equivalent total instructional minutes, number of course credits for each course, and a plan as described in subparagraph (C). This information shall be consistent with that of equivalent classroom-based courses.
(C) (i) For pupils in transitional kindergarten and grades 1 to 3, inclusive, a plan to provide opportunities for daily synchronous instruction for all pupils throughout the school year.

(ii) For pupils in grades 4 to 8, inclusive, a plan to provide opportunities for both daily live interaction and at least weekly synchronous instruction for all pupils throughout the school year.

(iii) For pupils in grades 9 to 12, inclusive, a plan to provide opportunities for at least weekly synchronous instruction for all pupils throughout the school year.

(5) Pupils enrolled in courses authorized by this section shall meet the applicable age requirements established pursuant to Sections 46300.1, 46300.4, 47612, and 47612.1.

(6) Pupils enrolled in courses authorized by this section shall meet the applicable residency and enrollment requirements established pursuant to Sections 46300.2, 47612, 48204, and 51747.3.

(7) (A) An individual with exceptional needs, as defined in Section 56026, shall not participate in course-based independent study, unless if the pupil’s individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

(B) A temporarily disabled pupil shall not receive individual instruction pursuant to Section 48206.3 through course-based independent study.

(8) (A) Satisfactory educational progress shall be determined based on all of the following indicators:

(i) The pupil’s achievement and engagement in the independent study program, as indicated by the pupil’s performance on applicable pupil-level measures of pupil achievement and pupil engagement set forth in paragraphs (4) and (5) of subdivision (d) of Section 52060.

(ii) The completion of assignments, assessments, or other indicators that evidence that the pupil is working on assignments.

(iii) Learning required concepts, as determined by the supervising teacher.

(iv) Progressing toward successful completion of the course of study or individual course, as determined by the supervising teacher.

(B) If satisfactory educational progress in one or more courses is not being made, certificated employees providing instruction shall notify the pupil and, if the pupil is less than 18 years of age, the pupil’s parent or legal guardian, and conduct an evaluation to determine whether it is in the best interest of the pupil to remain in the course or whether the pupil should be referred to an alternative program, which may include, but is not limited to, a regular school program. A written record of the findings of an evaluation made pursuant to this subdivision shall be treated as a mandatory interim pupil record. The record shall be maintained for a period of three years from the date of the evaluation and, if the pupil transfers to another California public school, the record shall be forwarded to that school.

(C) Procedures for tiered reengagement strategies for all pupils who are not making satisfactory educational progress in one or more courses, or who are in violation of the written learning agreement pursuant to Section 51749.6. These procedures shall include, but are not necessarily limited to, all of the following:

(i) Verification of current contact information for each enrolled pupil.
(ii) A plan for outreach from the school to determine pupil needs, including
collection with health and social services as necessary.

(iii) A clear standard for requiring a pupil-parent-educator conference to review
a pupil’s written learning agreement, and reconsider the independent study course’s
impact on the pupil’s achievement and well-being.

(D) Written or computer-based evidence of satisfactory educational progress,
as described in subparagraph (A), shall be retained for each course and pupil. At a
minimum, this evidence shall include a grade book or summary document that, for
each course, lists all assignments, examinations, and associated grades.

(9) A plan to transition pupils whose families wish to return to in-person
instruction from course-based independent study expeditiously, and, in no case, later
than five instructional days.

(10) A proctor shall administer examinations.

(11) (A) Statewide testing results for pupils enrolled in any course authorized
pursuant to this section shall be reported and assigned to the school or charter school
at which the pupil is enrolled, and to any school district, charter school, or county office
of education within which that school’s or charter school’s testing results are aggregated.

(B) Statewide testing results for pupils enrolled in a course or courses pursuant
to this section shall be disaggregated for purposes of comparing the testing results of
those pupils to the testing results of pupils enrolled in classroom-based courses.

(12) A pupil shall not be required to enroll in courses authorized by this section.

(13) The pupil-to-certificated-employee ratio limitations established pursuant
to Section 51745.6 are applicable to courses authorized by this section.

(14) For each pupil, the combined equivalent daily instructional minutes for
enrolled courses authorized by this section and enrolled courses authorized by all other
laws and regulations shall meet the minimum instructional day requirements applicable
to the local educational agency. Pupils enrolled in courses authorized by this section
shall be offered the minimum annual total equivalent instructional minutes pursuant
to Sections 46200 to 46208, inclusive, and Section 47612.5.

(15) Courses required for high school graduation or for admission to the
University of California or California State University shall not be offered exclusively
through independent study.

(16) A pupil participating in independent study shall not be assessed a fee
prohibited by Section 49011.

(17) A pupil shall not be prohibited from participating in independent study
solely on the basis that the pupil does not have the materials, equipment, or internet
access that are necessary to participate in the independent study course.

(b) For purposes of computing average daily attendance for each pupil enrolled
in one or more courses authorized by this section, the following computations shall
apply:

(1) (A) For each schoolday, add the combined equivalent daily instructional
minutes, as certified in paragraph (4) of subdivision (a), for courses authorized by this
section in which the pupil is enrolled.

(B) For each schoolday, add the combined daily instructional minutes of courses
authorized by all other laws and regulations in which the pupil is enrolled and for which
the pupil meets applicable attendance requirements.

(C) For each schoolday, add the sum of subparagraphs (A) and (B).
(2) If subparagraph (C) of paragraph (1) meets applicable minimum schoolday requirements for each schoolday, and all other requirements in this section have been met, credit each schoolday that the pupil is demonstrating satisfactory educational progress pursuant to the requirements of this section, with up to one school day of attendance.

(3) (A) Using credited schoolday attendance pursuant to paragraph (2), calculate average daily attendance pursuant to Section 41601 or 47612, whichever is applicable, for each pupil.

(B) The average daily attendance computed pursuant to this subdivision shall not result in more than one unit of average daily attendance per pupil.

(4) Notwithstanding any other law, average daily attendance computed for pupils enrolled in courses authorized pursuant to this section shall not be credited with average daily attendance other than what is specified in this section.

(5) If more than 10 percent of the total average daily attendance of a local educational agency is claimed pursuant to this section, then the amount of average daily attendance for all pupils enrolled by that school district, charter school, or county office of education in courses authorized pursuant to this section that is in excess of 10 percent of the total average daily attendance for the local educational agency shall be reduced by either (A) the statewide average rate of absence for elementary school districts for kindergarten and grades 1 to 8, inclusive, or (B) the statewide average rate of absence for high school districts for grades 9 to 12, inclusive, as applicable, as calculated by the department for the prior fiscal year, with the resultant figures and ranges rounded to the nearest 10th.

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

(d) This section does not prohibit the right to collectively bargain any subject within the scope of representation pursuant to Section 3543.2 of the Government Code.

(e) (1) The Superintendent shall conduct an evaluation of independent study courses offered pursuant to this section and report the findings to the Legislature and the Director of Finance no later than September 1, 2019. The report shall, at a minimum, compare the academic performance of pupils in independent study with demographically similar pupils enrolled in equivalent classroom-based courses.

(2) The requirement for submitting a report imposed under paragraph (1) is inoperative on September 1, 2023, pursuant to Section 10231.5 of the Government Code.

(3) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(f) (1) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of the ratios included in this section, including fiscal penalties for noncompliance as described in this section.

(2) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) to (e), inclusive, unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.
(g) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 32. Section 51749.6 of the Education Code is amended to read:

51749.6. (a) Before enrolling a pupil in a course authorized by Section 51749.5, each local educational agency shall provide the pupil and, if the pupil is less than 18 years of age, the pupil’s parent or legal guardian, with a written learning agreement that includes all of the following:

(1) A summary of the policies and procedures adopted by the governing board or body of the local educational agency pursuant to Section 51749.5, as applicable.

(2) The duration of the enrolled course or courses, the duration of the learning agreement, and the number of course credits for each enrolled course consistent with the certifications adopted by the governing board or body of the local educational agency pursuant to Section 51749.5. The duration of a learning agreement shall not exceed a school year or span multiple school years.

(3) The learning objectives and expectations for each course, including, but not limited to, a description of how satisfactory educational progress is measured and when a pupil evaluation is required to determine whether the pupil should remain in the course or be referred to an alternative program, which may include, but is not limited to, a regular school program.

(4) The specific resources, including materials and personnel, that will be made available to the pupil. These resources shall include confirming or providing access to all pupils to the connectivity and devices adequate to participate in the educational program and complete assigned work.

(5) A statement detailing the academic and other supports that will be provided to address the needs of pupils who are not performing at grade level, or need support in other areas, such as English learners, individuals with exceptional needs in order to be consistent with the pupil’s individualized education program or plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.

(6) A statement that enrollment in a course authorized pursuant to Section 51749.5 is an optional educational alternative in which no pupil may be required to participate. In the case of a pupil who is referred or assigned to any school, class, or program pursuant to Section 48915 or 48917, the agreement also shall include the statement that instruction may be provided to the pupil through course-based independent study only if the pupil is offered the alternative of classroom instruction.

(7) The manner, time, frequency, and place for submitting a pupil’s assignments, for reporting the pupil’s academic progress, and for communicating with a pupil’s parent or guardian regarding a pupil’s academic progress.

(8) The objectives and methods of study for the pupil’s work, and the methods used to evaluate that work.

(9) A statement of the adopted policies regarding the maximum length of time allowed between the assignment and the completion of a pupil’s assigned work, the level of satisfactory educational progress, and the number of missed assignments allowed before an evaluation of whether or not the pupil should be allowed to continue in course-based independent study.
(10) A statement of the number of course credits or, for the elementary grades, other measures of academic accomplishment appropriate to the learning agreement, to be earned by the pupil upon completion.

(b) (1) The learning agreement shall be signed, before the commencement of an independent study course, by the pupil, the pupil’s parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil, the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. Beginning in the 2022–23 school year, for independent study programs projected to last less than 15 school days for an individual pupil, each learning agreement shall be signed within 10 school days of the commencement of independent study, by the pupil, the pupil’s parent, legal guardian, or caregiver, if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of independent study, and the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable. For purposes of this paragraph “caregiver” means a person who has met the requirements of Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code.

(2) The signed learning agreement constitutes permission from a pupil’s parent or legal guardian, if the pupil is less than 18 years of age, for the pupil to receive instruction through course-based independent study.

(3) Either an original document or an electronic file of the original document is allowable documentation for auditing purposes.

(4) For purposes of this section, an electronic file includes a computer or electronic stored image of an original document, including, but not limited to, portable document format (PDF), JPEG, or other digital image file type, that may be sent via fax machine, email, or other electronic means.

(5) Signed written agreements, supplemental agreements, assignment records, work samples, and attendance records assessing time value of work or evidence that an instructional activity occurred may be maintained as an electronic file.

(6) Written agreements may be signed using an electronic signature that complies with state and federal standards, as determined by the department, that may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. The use of an electronic signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Section 16.5 of the Government Code and in Chapter 10 (commencing with Section 22000) of Division 7 of Title 2 of the California Code of Regulations, are satisfied.

(7) Notwithstanding subparagraph (A), for the 2021–22 school year only, a local educational agency shall obtain a signed written agreement for independent study from the pupil, or the pupil’s parent or legal guardian if the pupil is less than 18 years of age, the certificated employee who has been designated as having responsibility for the general supervision of the independent study course, and all persons who have direct responsibility for providing assistance to the pupil no later than 30 days after the first day of instruction, the certificated employee designated as having responsibility
for the special education programming of the pupil, as applicable. This subparagraph does not relieve a local educational agency from the obligation to comply with the requirements of this article, as amended by the act adding this paragraph, upon commencement of instruction for a participating pupil in the 2021–22 school year.

(8) (A) For the 2021–22 school year only, school districts and county offices of education shall notify the parents and guardians of all enrolled pupils of their options to enroll their child in in-person instruction or independent study during the 2021–22 school year. This notice shall include written information on the local educational agency’s internet website, including, but not limited to, the right to request a pupil-parent-educator conference meeting before enrollment pursuant to this section, pupil rights regarding procedures for enrolling, disenrolling, and reenrolling in independent study, and the synchronous and asynchronous instructional time that a pupil will have access to as part of independent study. If 15 percent or more of the pupils enrolled in a local educational agency that provides instruction in transitional kindergarten, kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the department pursuant to Section 52164 in the preceding year, the written information shall, in addition to being written in English, be written in the primary language.

(B) Upon the request of the parent or guardian of a pupil, and before signing a written agreement pursuant to this section, the local educational agency shall conduct a telephone, videoconference, or in-person pupil-parent-educator conference or other school meeting during which the pupil, parent or guardian, and, if requested by the pupil or parent, an education advocate, may ask questions about the educational options, including which curriculum offerings and nonacademic supports will be available to the pupil in independent study, before making the decision about enrollment or disenrollment in the various options for learning.

(c) Notwithstanding paragraph (6) of subdivision (a) of this section, paragraph (1) of subdivision (e) of Section 46300, and subparagraph (B) of paragraph (7) of subdivision (a) of Section 51749.5 for the 2021–22 school year only, a local educational agency shall be eligible to receive apportionments for independent study for pupils that are subject to quarantine for exposure to, or infection with, COVID-19 pursuant to local or state health guidance, and the pupil cannot participate in classroom-based instruction due to the quarantine, and for school closures due to COVID-19 pursuant to subdivision (c) of Section 41422. Local educational agencies shall receive apportionment for these pupils for all schooldays that they participate in and meet all other apportionment requirements of independent study while in quarantine or during a school closure.

(d) Commencing with the 2021–22 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate compliance reviews for subdivisions (a) and (b) unless compliance verification for those subdivisions is already included in the audit guide. Findings of noncompliance shall result in the loss of apportionment equal to the average daily attendance impacted by the noncompliance.

(e) The provisions of this section are not subject to waiver by the state board, by the Superintendent, or under any provision of Part 26.8 (commencing with Section 47600).

SEC. 33. Section 52063 of the Education Code is amended to read:
52063. (a) (1) The governing board of a school district shall establish a parent advisory committee to provide advice to the governing board of the school district and the superintendent of the school district regarding the requirements of this article.

(2) A parent advisory committee shall include parents or legal guardians of currently enrolled pupils in the school district to whom one or more of the definitions in Section 42238.01 apply, and parents or legal guardians of currently enrolled pupils with disabilities in the school district.

(3) This subdivision shall not require the governing board of the school district to establish a new parent advisory committee if the governing board of the school district already has established a parent advisory committee that meets the requirements of this subdivision, including any committee established to meet the requirements of the federal Elementary and Secondary Education Act, as amended by the federal Every Student Succeeds Act (Public Law 114-95), pursuant to Section 1116 of Subpart 1 of Part A of Title I of that act.

(b) (1) The governing board of a school district shall establish an English learner parent advisory committee if the enrollment of the school district includes at least 15 percent English learners and the school district enrolls at least 50 pupils who are English learners.

(2) This subdivision shall not require the governing board of the school district to establish a new English learner parent advisory committee if the governing board of the school district already has established a committee that meets the requirements of this subdivision.

SEC. 34. Section 52064 of the Education Code is amended to read:

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

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

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

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

(b) On or before January 31, 2022, the template adopted by the state board shall require the inclusion of all of the following information:

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

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

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

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

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

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

(ii) All other state funds.

(iii) All local funds.

(iv) All federal funds.

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

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

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

(C) Only for school districts and county offices of education that operate more than one schoolsite, specific actions and budgeted expenditures provided to all pupils on a schoolwide basis, but only at schools serving certain grade spans or only at one or more schools. For these specific actions, the description shall specify the school or schools at which the specific action is provided.

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

(6) (A) A demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in the ensuing fiscal year in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.
(B) As part of the demonstration required by subparagraph (A), the summary tables required by paragraph (4) shall demonstrate both of the following:

(i) That the full proportionality obligation referenced in paragraph (1) of subdivision (a) of Section 42238.07 is being met annually through the listed actions and services.

(ii) Each action’s quantitative contribution toward the proportionality obligation as expenditures or its qualitative contribution as a percentage of increased or improved services for unduplicated pupils over and above the level of services provided to all pupils, consistent with the regulations adopted by the state board pursuant to Section 42238.07.

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

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

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

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

(10) A summary of the stakeholder engagement process and how stakeholder engagement influenced the development of the adopted local control and accountability plan and annual update to the local control and accountability plan.

(11) For local educational agencies that receive concentration grant funding pursuant to Section 42238.02, a demonstration that the additional funding received as a result of the increased concentration grant add-on percent specified in subparagraph (B) of paragraph (1) of subdivision (f) of Section 42238.02 will be used to increase the number of credentialed staff, classified staff, or both of those, that provide direct services to pupils, including custodial staff, on school campuses with greater than 55-percent unduplicated pupil enrollment in the prior year as compared to the staff-to-pupil ratios at schools within the local educational agency with an unduplicated pupil enrollment in the prior year of 55 percent or less, if any.

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

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

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

(3) The state board may require the inclusion of additional information in the template in order to meet requirements of federal law, including meeting the requirements of Section 300.600 of Title 34 of the Code of Federal Regulations.

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

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

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

(4) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that have a numerically significant English learner pupil subgroup shall include specific actions in the local control and accountability plan related to, at a minimum, the language acquisition programs, as defined in Section 306, provided to pupils and professional development activities specific to English learners.

(5) On or before January 31, 2022, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that meet the criteria to receive technical assistance pursuant to Section 47607, 47607.2, 52071, or 52071.5, as applicable, based
on the performance of the same pupil subgroup or subgroups for three or more consecutive years shall include a goal in the local control and accountability plan focused on improving the performance of the pupil subgroup or subgroups.

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

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

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

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

(g) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement Assembly Bill 1808 and Assembly Bill 1840 of the 2017–18 Regular Session, legislation passed during the 2019–20 Regular Session, or Assembly Bill 130 of the 2021–22 Regular Session shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may make necessary revisions to the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

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

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

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

SEC. 35. Section 52064.3 is added to the Education Code, to read:

52064.3. (a) (1) On or before January 31, 2024, the state board shall adopt a
special education addendum to the template for school districts, charter schools, and
county offices of education to conduct integrated continuous improvement planning
to improve outcomes for individuals with exceptional needs, as required by federal
law under Section 300.600 of Title 34 of the Code of Regulations.

(2) The special education addendum shall be developed in conjunction with, and
attached to, the local control and accountability plan and annual update to the local
control and accountability plan, and shall be adopted by the governing board of a school
district pursuant to Section 52062, by a county board of education pursuant to Section
52068, and by the governing body of a charter school pursuant to Section 47606.5,
except that it shall be submitted to the department within 15 days following adoption
for review and approval consistent with federal law.

(b) The template for the special education addendum shall, to the greatest extent
practicable, use language that is understandable and accessible to parents.

(c) On or before July 1, 2024, the following local educational agencies shall
complete the special education addendum:

(1) A school district, charter school, or county office of education identified by
the Superintendent in accordance with Section 300.600 of Title 34 of the Code of
Federal Regulations.

(2) A school district, charter school, or county office of education required to
develop goals pursuant to paragraph (5) of subdivision (e) of Section 52064 on the
performance of the individuals with disabilities subgroup.

(d) The completed special education addendum shall constitute an addenda for
purposes of the posting requirements described in Sections 47606.5 and 52065.

(e) The development of the template for the special education addendum shall
not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5
(commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government
Code).

SEC. 36. Section 52065 of the Education Code is amended to read:

52065. (a) The superintendent of a school district shall do both of the following:
(1) Prominently post on the homepage of the internet website of the school district any local control and accountability plan approved by the governing board of the school district and any updates, revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the governing board of the school district.

(2) Prominently post all local control and accountability plans submitted by charter schools that were authorized by the school district, or links to those plans, and any updates, revisions, or addenda, including those to comply with federal law, on the internet website of the school district.

(b) A county superintendent of schools shall do all of the following:

(1) Prominently post on the homepage of the internet website of the county office of education any local control and accountability plan approved by the county board of education, and any updates or revisions, or addenda, including those to comply with federal law, to a local control and accountability plan approved by the county board of education.

(2) Prominently post all local control and accountability plans submitted by school districts and charter schools, or links to those plans, on the internet website of the county office of education.

(3) Transmit or otherwise make available to the Superintendent all local control and accountability plans submitted to the county superintendent of schools by school districts and charter schools, and the local control and accountability plan approved by the county board of education.

(c) The Superintendent shall post links to all local control and accountability plans approved by the governing boards of school districts, county boards of education, and the governing bodies of charter schools, on the internet website of the department.

SEC. 37. Section 52066 of the Education Code is amended to read:

52066. (a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, all of the information specified in the template adopted by the state board pursuant to Section 52064.

(d) All of the following are state priorities for purposes of a county board of education’s local control and accountability plan:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners
to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or former Section 60811.4, as that section read on June 30, 2016, for purposes of gaining academic content knowledge and English language proficiency.

(3) (A) Parental involvement and family engagement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(B) Family engagement may include, but need not be limited to, efforts by the school district and each individual schoolsite to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting pupil success, and empowering families to advocate for equity and access. Family engagement may include, but need not be limited to, treating families as partners to inform, influence, and create practices and programs that support pupil success and collaboration with families and the broader community, expand pupil learning opportunities and community services, and promote civic participation.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of pupils who have successfully completed both types of courses described in subparagraphs (B) and (C).

(E) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(F) The English learner reclassification rate.

(G) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(H) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.
(C) Middle school dropout rates.
(D) High school dropout rates.
(E) High school graduation rates.
(6) School climate, as measured by all of the following, as applicable:
(A) Pupil suspension rates.
(B) Pupil expulsion rates.
(C) Other local measures, including surveys of pupils, parents, and teachers on
the sense of safety and school connectedness.
(7) The extent to which pupils have access to, and are enrolled in, a broad course
of study that includes all of the subject areas described in Section 51210 and
subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs
and services developed and provided to unduplicated pupils and individuals with
exceptional needs, and the program programs and services that are provided to benefit
these pupils as a result of the funding received pursuant to Section 42238.02, as
implemented by Section 42238.03.
(8) Pupil outcomes, if available, in the subject areas described in Section 51210
and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.
(9) How the county superintendent of schools will coordinate instruction of
expelled pupils pursuant to Section 48926.
(10) How the county superintendent of schools will coordinate services for foster
children, including, but not limited to, all of the following:
(A) Working with the county child welfare agency to minimize changes in school
placement.
(B) Providing education-related information to the county child welfare agency
to assist the county child welfare agency in the delivery of services to foster children,
including, but not limited to, educational status and progress information that is required
to be included in court reports.
(C) Responding to requests from the juvenile court for information and working
with the juvenile court to ensure the delivery and coordination of necessary educational
services.
(D) Establishing a mechanism for the efficient expeditious transfer of health and
education records and the health and education passport.
(e) For purposes of the descriptions required by subdivision (b) of Section 52064,
a county board of education may consider qualitative information, including, but not
limited to, findings that result from school quality reviews conducted pursuant to
subdivision (b) of Section 52052 or any other reviews.
(f) To the extent practicable, data reported in a local control and accountability
plan shall be reported in a manner consistent with how information is reported on the
California School Dashboard maintained by the department pursuant to Section 52064.5.
(g) The county superintendent of schools shall consult with teachers, principals,
administrators, other school personnel, local bargaining units of the county office of
education, parents, and pupils in developing a local control and accountability plan.
(h) A county board of education may identify local priorities, goals in regard to
the local priorities, and the method for measuring the county office of education’s
progress toward achieving those goals.
(i) (1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter,
a county superintendent of schools shall prepare a summary of how the county
The superintendent of schools plans to support school districts and schools within the county in implementing this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

(A) A description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including steps that the county superintendent of schools plans to take to collaborate with the California Collaborative for Educational Excellence, the department, the lead agencies specified in Sections 52073 and 52073.1, and other county superintendents of schools to support school districts and schools within the county in implementing this article.

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 in improving pupil outcomes, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district will take independent of the county superintendent of schools to improve pupil outcomes pursuant to paragraph (3) of subdivision (c) of Section 52071.

(C) One or more goals for each of the following:
   (i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.
   (ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071.
   (iii) Providing any other support to school districts and schools within the county in implementing this article.
   (iv) Providing support to school districts in developing and implementing the addendum specified in Section 52064.3.

(D) One or more metrics to assess progress toward each goal identified in subparagraph (C).

(E) Specific actions and related expenditures to achieve each goal identified in subparagraph (C), to the extent this information is not provided pursuant to subparagraph (B). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(2) Commencing with the 2019–20 fiscal year and in each fiscal year thereafter, the county superintendent of schools shall submit the summary described in this subdivision with its local control and accountability plan pursuant to subdivision (a) of Section 52070.5.

(3) This subdivision shall not apply to a county superintendent of schools with jurisdiction over a single school district.

(4) On or before November 1 of each year, the department shall compile the information provided by county superintendents of schools pursuant to subparagraphs (A) and (B) of paragraph (1) into a single document and shall make this report available to the public on the department’s internet website.

SEC. 38. Section 52069 of the Education Code is amended to read:

52069. (a) (1) A county superintendent of schools shall establish a parent advisory committee to provide advice to the county board of education and the county superintendent of schools regarding the requirements of this article.
(2) A parent advisory committee shall include parents or legal guardians of pupils currently enrolled in county office of education-operated schools to whom one or more of the definitions in Section 42238.01 apply, and parents or legal guardians of pupils with disabilities currently enrolled in county office of education-operated schools.

(3) This subdivision shall not require the county superintendent of schools to establish a new parent advisory committee if the county superintendent of schools already has established a parent advisory committee that meets the requirements of this subdivision, including any committee established to meet the requirements of the federal Elementary and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.) pursuant to Section 6312 of that act.

(b) (1) A county superintendent of schools shall establish an English learner parent advisory committee if the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15 percent English learners and the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

(2) This subdivision shall not require the county superintendent of schools to establish a new English learner parent advisory committee if the county superintendent of schools already has established a committee that meets the requirements of this subdivision.

SEC. 39. Section 52073.2 of the Education Code is amended to read:

52073.2. (a) The California Collaborative for Educational Excellence and the department shall establish a process, administered by the department, to select, subject to approval by the executive director of the state board in consultation with the Department of Finance, special education local plan areas, county offices of education, or consortia of special education local plan areas and county offices of education to serve as special education resource leads to work with lead agencies selected pursuant to Sections 52073 and 52073.1, and other county offices of education, to improve pupil outcomes as part of the statewide system of support pursuant to this article.

(b) The process to select special education resource leads shall ensure that no more than 10 special education resource leads are selected to provide specific expertise on special education issues within the statewide system of support. At least three resource leads shall be selected in a manner to ensure statewide representation and focus directly on building special education local plan area, local and regional capacity to support local educational agencies in achieving the goals, actions, and services identified in their local control and accountability plans. Commencing with the grant cycle beginning July 1, 2023, at least one resource lead shall be selected to support the development and implementation of high-quality individualized education programs. Special education resource leads shall be selected for a term not to exceed five years.

SEC. 40. Section 52073.3 is added to the Education Code, to read:

52073.3. (a) The department and the California Collaborative for Educational Excellence shall establish a process, administered by the department in consultation with the Commission on Teacher Credentialing, to select, subject to approval of the executive director of the state board, a county office of education in each geographic lead agency region to serve as a Personnel Management Assistance Team and provide technical assistance to local educational agencies in establishing and maintaining
effective personnel management, recruitment, hiring, and retention practices that support the educator workforce within the scope of any existing collective bargaining agreement.

(b) The process for selecting a county office of education to serve as a Personnel Management Assistance Team pursuant to this section shall ensure, at a minimum, that the county office of education demonstrates the ability to address the personnel management needs of local educational agencies within its region. This shall include, but not be limited to, all of the following:

(1) The capacity to perform a root cause analysis of educator staffing shortages for local educational agencies in the regional area upon request. Root cause analyses include, and are not limited to, information on the following topics:

(A) Shortage areas specific to subject areas, grade spans, pupil subgroups, and educator diversity.

(B) Educator working conditions and opportunities for development.

(C) Partnerships with institutions of higher education.

(2) The ability to provide guidance on effective personnel practices and create practices to improve recruitment, credentialing, and retention of a fully credentialed and properly assigned educator workforce that is representative of the local pupil population.

(3) The capability to coordinate and calibrate assistance and support provided based on the specific staffing needs of local educational agencies in their regional jurisdiction.

(4) A willingness to act as a liaison between the department, the Commission on Teacher Credentialing, the state board, the California Collaborative for Educational Excellence, and local school districts to promote a diverse, fully credentialed, and properly assigned educator workforce in their region.

(c) Each Personnel Management Assistance Team shall consist of persons having extensive experience in local educational agency personnel administration, including recruitment, credentialing, hiring, retention, organization, and staffing.

(d) In selecting a county office of education pursuant to this section, the department, in consultation with the Commission on Teacher Credentialing, may select a county office of education serving as a geographic lead agency pursuant to Section 52073 or another county office of education within the geographic lead agency’s region.

(e) The department shall provide resources and coordination efforts, in consultation with the California Collaborative for Educational Excellence and the Commission on Teacher Credentialing, to the Personnel Management Assistance Teams related to local and state-level educator workforce data and programs concerning educator recruitment and retention, and to promote best practices throughout the state.

(f) The superintendent of any school district, or county superintendent of schools, may request that the regional Personnel Management Assistance Team review the personnel practices of a school district under their jurisdiction and recommend practices or organizational functions to facilitate the timely hiring and placement of qualified educators, including early childhood education educators, consistent with the personnel policies established by agreement with the exclusive representatives of employee organizations.

(g) The California Collaborative for Educational Excellence shall evaluate the Personnel Management Assistance Teams on or before December 31, 2025, leveraging
educator workforce data and qualitative data provided by the Personnel Management Assistance Teams and the local educational agencies they have assisted.

SEC. 41. Chapter 16.1 (commencing with Section 53020) is added to Part 28 of Division 4 of Title 2 of the Education Code, to read:

CHAPTER 16.1. GOLDEN STATE PATHWAYS PROGRAM

53020. This chapter shall be known, and may be cited, as the Golden State Pathways Program Act.

53021. The Golden State Pathways Program is hereby established to do all of the following:

(a) Promote pathways in technology, health care, education, and climate-related fields that allow pupils to advance seamlessly from high school to college and career and provide the workforce needed for economic growth.

(b) Encourage collaboration between local educational agencies, institutions of higher education, local and regional employers, and other relevant community interestholders to develop, or expand the availability of, innovative college and career pathways that simultaneously align with a local educational agency’s local or regional labor market needs.

(c) Enable more pupils to access postsecondary education opportunities and workforce training opportunities, or to obtain gainful employment in an industry that simultaneously aligns with local, regional, or state labor market needs.

(d) Support the continued development of a skilled and educated workforce.

53022. For purposes of this chapter, the following definitions apply:

(a) “High-priority local educational agency” means a local educational agency that meets any of the following criteria:

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

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

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

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

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

(b) “Local educational agency” means a school district, charter school, county office of education, or regional occupational center or program operated by a joint powers authority.

(c) “Region” means the regional planning unit as defined by California’s Unified Strategic Workforce Development Plan, developed by the California Workforce Development Board, pursuant to the federal Workforce Innovation and Opportunity Act (Public Law 113-128).

53023. Contingent upon appropriation by the Legislature in the annual Budget Act or other statute, the department shall administer the Golden State Pathways Program as a competitive grant program. In order to be eligible to receive a grant award, a local educational agency shall do the following, as applicable:
(a) Commit to providing participating high school pupils with all of the following:

(1) An integrated program of study that includes all of the courses to meet the A–G course requirements needed to be eligible for admission to the University of California or the California State University and at least one of the other criteria to be considered prepared for the purposes of meeting academic and career-readiness standards as defined in the College/Career Indicator associated with the California School Dashboard maintained by the department pursuant to Section 52064.5. Local educational agencies are encouraged to integrate career pathways content and applications into A–G courses. Local educational agencies may also provide or expand access to courses that satisfy A–G course requirements through existing programs such as:

(A) UC Scout, which is a University of California Student Academic Preparation and Educational Partnerships (SAPEP) program that develops and delivers A–G approved online classes and curriculum to pupils.

(B) University of California and California State University extended learning programs that offer college-preparatory courses that fulfill the A–G subject requirements for admission to the University of California and the California State University.

(2) The opportunity to earn at least 12 postsecondary credits that are applicable toward the completion of a degree, certificate, or credential through any of the following:

(A) (i) Consistent with the requirements of Section 76004, College and Career Access Pathways dual enrollment courses.

(ii) To meet the requirements of clause (i), local educational agencies are expected to establish, expand, or maintain a College and Career Access Pathways partnership agreement with their local community college district consistent with the requirements of Section 76004.

(B) Advanced Placement courses.

(C) International Baccalaureate courses.

(3) Opportunities to participate in work-based learning experiences in partnership with regional business and industry, state and local governmental entities, and nonprofit and community-based organizations that do all of the following:

(A) Integrate career awareness and career exposure activities.

(B) Emphasize opportunities to pupils in paid internships, preapprenticeships, or apprenticeships that offer pupils the ability to learn technical and professional skills.

(C) Emphasize opportunities for pupils to develop social and professional networks that will better enable them to launch their careers.

(4) Integrated support services necessary to address a pupil’s social, emotional, and academic needs.

(b) Develop and integrate standards-based academics with a career-relevant, sequenced curriculum following industry-themed pathways that are aligned to high-skill, high-wage, high-growth jobs in their regional economy or the state economy.

(c) Provide articulated pathways from high school to postsecondary education and training that are aligned with the workforce development needs of their regional economy.

(d) Collaborate with other local educational agencies, institutions of higher education, local and regional employers, and other relevant community interestholders to develop, or expand the availability of, innovative college and career pathways that align with their regional labor market needs.
(e) Leverage available resources or in-kind contributions from public, private, and philanthropic sources to sustain the ongoing operation of their Golden State Pathways Program.

53024. (a) As a condition of receiving a Golden State Pathways Program grant, a recipient shall:

(1) Not use Golden State Pathways Program grant funds to supplant state, federal, or any other public or private sources of funding that is otherwise, or would otherwise be, used to support the activities required of a Golden State Pathways Program grant recipient.

(2) Identify and set aside funding within its own budget or obtain funding commitments from program partners to sustain the ongoing operation of their Golden State Pathways Program.

(b) A grant recipient subject to the requirements of Sections 52060 and 52061, Sections 52066 and 52067, or Section 47606.5, as applicable, shall ensure that the activities supported by a Golden State Pathways Program grant are in alignment with the priorities and activities of the grant recipient’s local control and accountability plan.

(c) (1) A grant recipient shall annually collect and submit data, disaggregated by pupil subgroup, on outcome measures to the department, which shall include, but are not limited to, all of the following:

(A) Pupil academic performance indicators, including information disaggregated by pupil subgroups.

(B) The number and rate of school or program graduates by pupil subgroups.

(C) The rate of pupils completing the courses to meet the A–G course requirements needed to be eligible for admission to the University of California or the California State University at the participating schoolsite, disaggregated by pupils participating in a pathways program pursuant to this chapter and pupils not participating in a pathways program pursuant to this chapter.

(D) The number of postsecondary credits earned, internships and apprenticeships completed, and career technical education courses completed.

(E) Attainment of certificates, credentials, and degrees.

(F) Postsecondary enrollment, or pupils who meet the requirements to be considered a pupil who successfully transferred to a four-year university for purposes of Section 84750.4.

(G) Transitions to employment, apprenticeships, or job training in the industry sector educational pathway program offered by the participating local educational agency.

(2) To the extent feasible, it is the intent of the Legislature that upon the implementation of the California Cradle-to-Career Data System established in Section 10860, the data required pursuant to paragraph (1) shall be integrated within the California Cradle-to-Career Data System.

53025. (a) The Superintendent, in consultation with the executive director of the state board, shall award grants on a competitive basis to local educational agencies for the following:

(1) Consortium development and planning grants to support collaborative planning between a local educational agency and their program partners in the development of high-quality college and career pathways opportunities that are...
consistent with the requirements of this chapter. Of the amounts appropriated to support
the Golden State Pathways Program, the Superintendent may use up to 10 percent of
the funds for consortium development and planning grants.

(2) Implementation grants to support a local educational agency’s ability to offer
participating pupils high-quality college and career pathways opportunities consistent
with the requirements of this chapter. Of the amounts appropriated to support the
Golden State Pathways Program, the Superintendent shall use not less than 85 percent
of the funds for implementation grants.

(b) (1) Of the amounts appropriated to support the Golden State Pathways
Program, the Superintendent may use up to 5 percent of the appropriation to contract,
in consultation with the executive director of the state board, with up to 10 local
educational agencies for the provision of technical assistance to applicants and grant
recipients. Of these technical assistance grantees, one local educational agency with
demonstrated expertise in the design and implementation of college and career pathways
will act as the lead technical assistance grantee and work with the department to provide
leadership and direction for the other technical assistance grantees, who will provide
technical assistance to different regions in the state.

(2) To be eligible for the contract pursuant to paragraph (1), the local educational
agency shall commit to all of the following:

(A) Assisting grantees in the continuous improvement of their Golden State
Pathways Programs.

(B) Leveraging evidence-based program frameworks, such as linked learning
framework and quality standards, to provide assistance to grantees.

(C) Providing prospective applicants and grantees with feedback regarding the
development of their planned application for Golden State Pathways Program, the
implementation of a Golden State Pathways Program for local educational agencies
selected to receive an award, and to support the continual improvement of a local
educational agency’s Golden State Pathways Program.

(D) Creating a community of practice network that enables grantees to share
best practices with other grantees and other interested local educational agencies.

(E) Assisting local educational agencies with the collection and reporting of
required data pursuant to this chapter.

(3) It is the intent of the Legislature that the Superintendent identify and contract
with a local educational agency to provide technical assistance consistent with the
requirements of paragraph (2) not less than three months prior to grant applications
being due to the Superintendent.

(4) The Superintendent, in consultation with the executive director of the state
board, shall contract with an independent entity to evaluate the program’s effectiveness
in meeting the goals described in Section 53021. This evaluation shall be completed
no sooner than June 30, 2027, and no later than June 30, 2028.

(5) Any funds used by the Superintendent for purposes of paragraph (1) shall be
available for encumbrance and expenditure for five fiscal years.

(c) In determining the grant amounts for an implementation grant and for a
consortium development and planning grant, the Superintendent, in consultation with
the executive director of the state board, shall consider all of the following:

(1) The number of pupils enrolled in the applying local educational agency.
(2) The number of pathways programs proposed to be established by the local educational agency and the number of schoolsites that would participate in the pathways program.

(3) The estimated number of pupils that would be enrolled in the applying local educational agency’s pathways programs.

(4) The number of entities collaborating with the applying local educational agency to achieve the goal outlined in subdivision (a) of Section 53021.

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

(1) A description and documentation of how the participating local educational agency will collaborate with their local or regional interestholders to develop or offer high-quality college and career pathways opportunities consistent with the requirements of this chapter.

(2) A description of all of the educational, career, or support services to be provided at the schoolsite, a partnering college or university site, virtually, or at the locations where eligible work-based learning would occur.

(3) A description regarding how the local educational agency’s Golden State Pathways Program would support the needs of the local educational agency’s underrepresented pupils.

(4) A description of all direct and indirect resources, and partner entities that will support the local educational agency’s development or implementation of high-quality college and career pathways opportunities consistent with the requirements of this chapter.

(5) A description of the local educational agency’s current and future efforts to sustain the ongoing operation of their Golden State Pathways Program beyond the life of their grant.

(6) Provisions for data collection and recordkeeping necessary to comply with the requirements of subdivision (c) of Section 53024 and to verify that the grant funds were expended to develop or implement high-quality college and career pathways opportunities consistent with the requirements of this chapter.

(e) (1) A local educational agency seeking a grant under this chapter may request both a planning and implementation grant.

(2) A local educational agency that is seeking both a planning and implementation grant shall submit, and receive approval of, a supplemental report to the Superintendent detailing the implementation plan developed using the resources received from their planning grant, before expending their implementation grant resources.

(f) In awarding grants pursuant to this chapter, the Superintendent shall prioritize applications submitted by a high-priority local educational agency that seeks to establish pathways programs in the following areas:

(1) Education, including early education and child development.

(2) Computer science.

(3) Health care.

(4) Science, technology, engineering, and mathematics pathways that also focus on climate resilience.

SEC. 42. Section 56122 of the Education Code is amended to read:
56122. (a) The Superintendent shall establish guidelines for the development of local plans, including a standard format for local plans, and provide assistance in the development of local plans. The purposes of the guidelines and assistance shall be to help districts and county offices benefit from the experience of other local agencies that implement programs under this part, including, but not limited to, reducing paperwork, increasing parental involvement, improving transparency, and providing effective staff development activities. To the extent possible, all forms, reports, and evaluations shall be designed to satisfy simultaneously state and federal requirements.

(b) On or before July 1, 2019, the department shall develop templates that shall be used by special education local plan areas, districts, and county superintendents of schools to meet the requirements of Sections 56195.1 and 56205.

(c) Commencing July 1, 2023, each local plan shall include an annual assurances support plan. The purpose of the annual assurances support plan is to demonstrate how the special education local plan area and its participating agencies are coordinating for purposes of assuring effective outcomes for pupils with disabilities. The department shall develop a template for the annual assurances support plan by July 1, 2026. The annual assurances support plan shall include all of the following elements:

1. A description of how the governing board of the special education local plan area has determined that the special education local plan area will support participating agencies in achieving the goals, actions, and services identified in their local control and accountability plans.

2. A description of how the governing board of the special education local plan area has determined that the special education local plan area will connect its participating agencies in need of technical assistance to the statewide system of support.

3. A brief description of the services, technical assistance, and support the governing board of the special education local plan area has determined that it will provide in meeting the requirements under paragraphs (1) to (21), inclusive, of subdivision (a) of Section 56205.

SEC. 43. Section 56836.07 of the Education Code is amended to read:

56836.07. (a) For the 2004–05 fiscal year to the 2019–20 fiscal year, inclusive, to the extent there is an appropriation in the annual Budget Act for purposes of educationally related mental health services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.06, reported for the special education local plan area. For the 2004–05 fiscal year to the 2019–20 fiscal year, inclusive, for which there is an appropriation of federal funds in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance determined pursuant to Section 56836.10 to the amount of the statewide target per unit of average daily attendance determined pursuant to Section 56836.11.

(b) For the 2020–21 and 2021–22 fiscal years and each fiscal year thereafter, to the extent there is an appropriation of federal funds in the annual Budget Act for purposes of educationally related mental health services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.06, reported for the special education local plan area for the 2019–20 fiscal year as of the
second principal apportionment. For the 2020–21 and 2021–22 fiscal year and each fiscal year thereafter for which years, to the extent there is an appropriation of federal funds in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.10 to the amount of the statewide target per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.11.

(c) For the 2020–21 and 2021–22 fiscal year and each fiscal year thereafter, to the extent there is a General Fund appropriation in the annual Budget Act for purposes of mental health-related services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.06, reported for the special education local plan area for the 2019–20 fiscal year as of the second principal apportionment. For the 2020–21 and 2021–22 fiscal year and each fiscal year thereafter for which years, to the extent there is a General Fund appropriation in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area based on the ratio of the amount per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.10 to the amount of the statewide target per unit of average daily attendance for the 2019–20 fiscal year determined pursuant to Section 56836.11.

(d) For the 2022–23 fiscal year and each fiscal year thereafter, to the extent there is an appropriation of federal funds in the annual Budget Act for purposes of educationally related mental health services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.144, reported for the local educational agency for the prior fiscal year as of the second principal apportionment. For the 2022–23 fiscal year and each fiscal year thereafter for which there is an appropriation of federal funds in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community Schools based on the ratio of the amount per unit of average daily attendance for the prior fiscal year determined pursuant to Section 56836.146.

(e) For the 2022–23 fiscal year and each fiscal year thereafter, to the extent there is a General Fund appropriation in the annual Budget Act for purposes of mental health-related services, the Superintendent shall allocate funds per unit of average daily attendance, as defined in Section 56836.144, reported for the local educational agency for the current fiscal year as of the second principal apportionment. For the 2022–23 fiscal year and each fiscal year thereafter for which there is a General Fund appropriation in the annual Budget Act for this purpose, the Superintendent shall determine a proportionate share, consistent with existing law, to the Los Angeles County Juvenile Court and Community Schools based on the ratio of the amount per unit of average daily attendance for the current fiscal year determined pursuant to Section 56836.146.

(d) For the 2020–21 fiscal year and each fiscal year thereafter, the General Fund appropriations specified in subdivision (c) shall be available
for all mental health-related services for pupils with or without an individualized education program, including, but not limited to, all of the following:

1. Out-of-home residential services for emotionally disturbed pupils.
2. Counseling and guidance services, including counseling, personal counseling, and parental counseling and training.
3. Psychological services.
4. Social work services.
5. Behavioral interventions.
6. Any other mental health-related service not necessarily required by the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.).

SEC. 44. Section 56836.144 of the Education Code is amended to read:

56836.144. (a) For the 2020–21 and 2021–22 fiscal years and each fiscal year thereafter, the Superintendent shall calculate allocations to special education local plan areas based on the average daily attendance reported for the special education local plan area for the fiscal year in which the computation is made, the most recent prior fiscal year, or the second most recent prior fiscal year, whichever is greatest.

(b) Commencing with the 2022–23 fiscal year, the Superintendent shall calculate special education funding allocations based on the average daily attendance reported for each local educational agency and charter school that is a local educational agency for purposes of special education for the fiscal year in which the computation is made, the most recent prior fiscal year, or the second most recent prior fiscal year, whichever is greatest.

SEC. 45. Section 56836.146 of the Education Code is amended to read:

56836.146. (a) For the 2020–21 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

1. Six hundred twenty-five dollars ($625) per unit of average daily attendance.
2. The amount of funding per unit of average daily attendance calculated in the 2019–20 fiscal year pursuant to Section 56836.08 for the special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

1. Seven hundred fifteen dollars ($715) per unit of average daily attendance.
2. The amount of funding per unit of average daily attendance calculated in the 2020–21 fiscal year pursuant to paragraph (2) of subdivision (a), adjusted by the inflation factor described in Section 56836.142, and shall also include the inflation factor of 2.31 percent instead of zero as described in Section 56836.142 for the 2020–21 fiscal year.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

1. Eight hundred twenty dollars ($820) per unit of average daily attendance.
2. The amount of funding per unit of average daily attendance calculated in the 2021–22 fiscal year pursuant to paragraph (2) of subdivision (b).
(d) Commencing with the 2022–23 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the amount of funding per unit of average daily attendance for each special education local plan area, which shall be the greater of the following:

1. For the 2022–23 fiscal year, the amount of funding per unit of average daily attendance calculated for the 2021–22 fiscal year pursuant to paragraph (1) of subdivision (b), (c), adjusted by the inflation factor described in Section 56836.142. For each fiscal year thereafter, the amount of funding per unit of average daily attendance calculated for the prior fiscal year pursuant to this paragraph, adjusted each year by the inflation factor described in Section 56836.142.

2. The amount of funding per unit of average daily attendance calculated for the prior fiscal year pursuant to paragraph (2) of subdivision (b), (c).

(e) For purposes of calculating the amount of funding per unit of average daily attendance for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the Superintendent shall make the following computations:

1. For the 2020–21 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2019–20 fiscal year pursuant to Section 56836.10 by 13 percent and then multiply by the inflation factor described in Section 56836.142 for the 2020–21 fiscal year.

2. For the 2021–22 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2020–21 fiscal year by 10 percent, and then adjust that amount by the inflation factor described in Section 56836.142 for the 2021–22 fiscal year, and shall also include the inflation factor of 2.31 percent instead of zero as described in Section 56836.142 for the 2020–21 fiscal year.

3. For the 2022–23 fiscal year, increase the amount of funding per unit of average daily attendance computed for that special education local plan area for the 2021–22 fiscal year by 14 percent, and then adjust that amount by the inflation factor described in Section 56836.142 for the 2022–23 fiscal year.

(b) For the 2022–23 fiscal year and for each fiscal year thereafter, the amount of funding per unit of average daily attendance computed for that special education local plan area for the prior fiscal year shall be adjusted by the inflation factor described in Section 56836.142 for the current fiscal year.

SEC. 46. Section 56836.148 of the Education Code is amended to read:

56836.148. (a) For the 2020–21 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (a) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144 for the corresponding special education local plan area.

(b) For the 2021–22 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (b) of Section 56836.146 by the funded average daily
attendance computed in subdivision (a) of Section 56836.144 for the corresponding special education local plan area.

(c) For the 2022–23 fiscal year, the Superintendent shall determine the base grant funding for each special education local plan area by adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (c) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144.

(d) Commencing with the 2022–23 2023–24 fiscal year and for each fiscal year thereafter, the Superintendent shall determine the base grant funding for each special education local plan area by multiplying adding the products of the amount funded per unit of average daily attendance for each special education local plan area computed in subdivision (c) of Section 56836.146 multiplied by the funded average daily attendance for each member local educational agency and charter school that is a local educational agency for purposes of special education computed in subdivision (b) of Section 56836.144 for the corresponding special education local plan area.

(e) For purposes of calculating the base funding for the special education local plan area identified as the Los Angeles County Juvenile Court and Community School/Division of Alternative Education Special Education Local Plan Area, the Superintendent shall make the following computations:

1. For the 2020–21 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (1) of subdivision (d) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

2. For the 2020–21 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (2) of subdivision (d) of Section 56836.146 by the funded average daily attendance computed in subdivision (a) of Section 56836.144.

3. For the 2022–23 fiscal year, multiply the amount of funding per unit of average daily attendance computed in paragraph (3) of subdivision (d) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

4. Commencing with the 2022–23 2023–24 fiscal year and for each fiscal year thereafter, multiply the amount of funding per unit of average daily attendance computed in paragraph (3) of subdivision (d) of Section 56836.146 by the funded average daily attendance computed in subdivision (b) of Section 56836.144.

SEC. 47. Section 113 of Chapter 24 of the Statutes of 2020 is amended to read:

Sec. 113. (a) The sum of fifty million dollars ($50,000,000) is hereby appropriated from the General Fund in the 2020–21 fiscal year to the State Department of Education on a one-time basis to administer the Early Literacy Support Block Grant. The State Department of Education may use three million dollars ($3,000,000) of this sum to offset its costs associated with activities required to administer the program, consistent with subdivision (f).
(b) (1) The State Department of Education shall award grants to local educational agencies with the 75 schools with the highest percentage of pupils in grade 3 scoring at the lowest achievement standard level, also referred to as the level 1 achievement level, on the consortium summative assessment in English language arts. A grant provided pursuant to this section shall be divided into three yearly allocations and awarded consistent with subdivision (f).

(2) For purposes of this subdivision, both of the following shall apply:

(A) Grant eligibility shall be determined based on the weighted average, as calculated by the State Department of Education, of the 2018 and 2019 results on the consortium summative assessment in English language arts specified in Section 60640 of the Education Code.

(B) A school, including a charter school, shall be eligible for a grant only if it meets both of the following conditions:

(i) The school reported results for at least 11 pupils in grade 3 for both the 2018 and 2019 results on the consortium summative assessment in English language arts.

(ii) The school was designated “Traditional” in the “Educational Option Type” field, as reported through the 2018–19 Source File for the California Longitudinal Pupil Achievement Data System established pursuant to Chapter 10 (commencing with Section 60900) of Part 33 of Division 4 of Title 2 of the Education Code.

(c) The State Department of Education shall establish the per-school grant amount for an eligible school based on the school’s grade 3 enrollment, with three tiers of funding based on the 2018–19 enrollment of grade 3 pupils at eligible schools.

(d) (1) As a condition of receiving a grant pursuant to this section, the local educational agency shall agree that it will use grant funds for an eligible school for only the purposes described in paragraphs (2) and (3).

(2) Except as provided in subparagraph (E), the local educational agency shall, for each of its eligible schools, conduct a root cause analysis and needs assessment, consistent with all of the following:

(A) The root cause analysis and needs assessment shall examine both school-level and local educational agency-level practices or unmet needs, including those relating to school climate, social-emotional learning, and the experience of pupils who are below grade-level standard on the English language arts content standards adopted by the State Board of Education and their families, that have contributed to low pupil outcomes for pupils in grade 3 on the consortium summative assessment in English language arts.

(B) The root cause analysis and needs assessment shall identify the strengths and weaknesses of both the eligible school and the local educational agency with regard to literacy instruction in kindergarten and grades 1 to 3, inclusive. The local educational agency shall review all relevant diagnostic measures, including, but not limited to, pupil performance data, data on effective and ineffective practices, and equity and performance gaps.

(C) The local educational agency shall consult with stakeholders, including school staff, school leaders, parents, and community members, at each eligible school about the root cause analysis and needs assessment and proposed expenditures of the grant funds. The local educational agency may use an existing schoolsite council established pursuant to Section 65000 of the Education Code for this purpose. If the schoolsite council is used for this purpose, the school shall provide public notice of
meetings and shall conduct meetings in the manner required by Section 35147 of the Education Code.

(D) The local educational agency shall partner with staff with expertise in literacy from the county office of education for the county in which the local educational agency is located, a geographic lead agency established pursuant to Section 52073 of the Education Code, or the expert lead in literacy established pursuant to Section 114 of this act in the development of the root cause analysis and needs assessment and the literacy action plan described in paragraph (3). In addition, the local educational agency may partner with a member of an institution of higher education or nonprofit organization with expertise in literacy for this purpose, and may also involve experts in participatory design and meaningful community involvement.

(E) If a local educational agency or eligible school has completed a root cause analysis and needs assessment that complies with the requirements specified in subparagraphs (A) to (D), inclusive, within the last two years, it may use that root cause analysis and needs assessment for purposes of developing and adopting the literacy action plan pursuant to paragraph (3).

(3) Based on the root cause analysis and needs assessment, the local educational agency shall develop a three-year local educational agency literacy action plan, consistent with all of the following:

(A) The local educational agency literacy action plan shall include goals and actions to improve literacy instruction based on the root cause analysis and needs assessment and shall include a section reflecting the input received from stakeholders at each eligible school as part of the root cause analysis and needs assessment.

(B) The local educational agency literacy action plan shall identify metrics to measure progress toward the goals and actions.

(C) The local educational agency literacy action plan shall identify planned expenditures for programs or services consistent with one or more of the categories described in subdivision (e).

(D) Grant funds may be used only to fund supplemental activities targeted for kindergarten and grades 1 to 3, inclusive, and shall not supplant already existing activities being provided by the local educational agency or at the eligible school. The activities shall be targeted for improvement strategies for pupils in kindergarten and grades 1 to 3, inclusive, at eligible schools.

(E) The local educational agency shall provide a copy of the draft local educational agency literacy action plan to each eligible school to share with the school community before it is finalized for presentation to the governing board or body of the local educational agency.

(F) The local educational agency literacy action plan shall be adopted at a regularly scheduled, publicly noticed meeting of the governing board or body of the local educational agency as a nonconsent agenda item.

(G) A local educational agency that includes more than one eligible school may develop one literacy action plan addressing all of its eligible schools, and the local educational agency may combine the grant funds to maximize results at the eligible schools only if the literacy action plan is specifically responsive to the root cause analysis and needs assessment specific to each of the eligible schools.

(e) A local educational agency shall expend grant funds only on programs or services within one or more of the following categories:
(1) Access to high-quality literacy teaching, which shall include any of the following:
   (A) Hiring of literacy coaches or instructional aides to provide support to struggling pupils, including, among others, bilingual reading specialists to support English learner programs.
   (B) Development of strategies to provide culturally responsive curriculum and instruction.
   (C) Evidence-based professional development for teachers, instructional aides, and school leaders regarding literacy instruction and literacy achievement and the use of data to help identify and support struggling pupils.
   (D) Professional development for teachers and school leaders regarding implementation of the curriculum framework for English language arts adopted by the State Board of Education pursuant to Section 60207 of the Education Code and the use of data to support effective instruction.

(2) Support for literacy learning, which shall include any of the following:
   (A) Purchase of literacy curriculum resources and instructional materials aligned with the English language arts content standards and the curriculum framework for English language arts adopted by the State Board of Education, but only if the literacy action plan also includes professional development for staff on effective use of these materials.
   (B) Purchase of diagnostic assessment instruments to help assess pupil needs and progress and training for school staff regarding the use of those assessment instruments.

(3) Pupil supports, which shall include any of the following:
   (A) Expanded learning programs, such as before- and after-school programs or summer school, to improve pupils’ access to literacy instruction.
   (B) Extended schoolday to enable implementation of breakfast in the classroom or library models to support expanded literacy instruction.
   (C) Strategies to improve school climate, pupil connectedness, and attendance and to reduce exclusionary discipline practices, including in-school suspensions, that may limit a pupil’s time in school.
   (D) Strategies to implement research-based social-emotional learning approaches, including restorative justice.
   (E) Expanded access to the school library.

(4) Family and community supports, which shall include any of the following:
   (A) Development of trauma-informed practices and supports for pupils and families.
   (B) Provision of mental health resources to support pupil learning.
   (C) Strategies to implement multitierted systems of support and the response to intervention approach.
   (D) Development of literacy training and education for parents to help develop a supportive literacy environment in the home.
   (E) Strategies to improve parent and community engagement and to improve communication with parents regarding how to address pupils’ literacy needs.

(f) The State Department of Education may establish conditions for the grant and otherwise administer the grant as necessary to advance the purposes of this section.
In administering the grant, the State Department of Education shall ensure all of the following:

(1) The State Department of Education shall provide a local educational agency up to fifty thousand dollars ($50,000) for each eligible school for purposes of conducting the root cause analysis and needs assessment for each eligible school and preparing the local educational agency literacy action plan.

(2) A local educational agency that receives a grant shall submit its literacy action plan to the State Department of Education. The State Department of Education or its designee shall review each local educational agency’s literacy action plan to determine if all of the following conditions are met:
   (A) The local educational agency consulted with each eligible school and stakeholders in the development of the root cause analysis and needs assessment.
   (B) The local educational agency identified the county office of education, geographic lead agency authorized pursuant to Section 52073 of the Education Code, or expert lead in literacy established pursuant to Section 114 of this act with which the local educational agency partnered in the development of the root cause analysis and needs assessment and literacy action plan.
   (C) The literacy action plan was approved by the governing board or body of the local educational agency at a publicly noticed meeting.
   (D) The planned expenditures are for programs or services consistent with subdivision (e).
   (E) The literacy action plan clearly articulates that the grant funds will be used for supplemental activities.

(3) Upon approval of the literacy action plan by the State Department of Education or its designee, the local educational agency shall receive the balance of its first-year allocation to begin implementing the literacy action plan at eligible schools.

(4) Each local educational agency with an eligible school shall provide the State Department of Education, the schoolsite council at each eligible school, and the governing board or body of the local educational agency with quarterly reports demonstrating that it has made expenditures consistent with the applicable literacy action plan. These reports shall also be publicly posted on the local educational agency’s internet website.

(5) On an annual basis, each local educational agency with an eligible school shall submit to the State Department of Education, the schoolsite council at each eligible school, and the governing board or body of the local educational agency a report on achievement towards the actions and goals described, and an assessment of progress made on the metrics identified, in its literacy action plan. These reports shall also be publicly posted on the local educational agency’s internet website.

(6) At the end of the second year of grant eligibility, a local educational agency with an eligible school shall, as a nonconsent agenda item at a regularly scheduled, publicly noticed meeting of its governing board or body, provide an update on progress implementing the literacy action plan. The local educational agency may modify the literacy action plan based on this update, consistent with the authorized uses of the grant funds.

(7) Upon submission of the reports required in paragraphs (4) and (5), the local educational agency shall receive its second- and third-year allocations, as applicable.
(g) Notwithstanding any other law, this section shall not be subject to waiver by the State Board of Education pursuant to Section 33050 of the Education Code or by the Superintendent of Public Instruction.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 48. Section 119 of Chapter 24 of the Statutes of 2020, as amended by Section 65 of Chapter 110 of the Statutes of 2020, is amended to read:

Sec. 119. (a) The Legislature finds and declares all of the following:

(1) (A) Pupils with dyslexia and other forms of specific learning disabilities often go undiagnosed until the pupil is failing in school, while many pupils are never diagnosed and never receive services. Early identification and intervention with pupils showing signs of dyslexia are critical for improving pupil outcomes.

(B) The most effective treatment for pupils who struggle with reading and related language problems is early diagnosis and skilled teaching. For that reason, it is critical that educators receive evidence-based practices and strategies informed by research to reduce the impact on long-term educational outcomes.

(C) The California Dyslexia Guidelines, developed by the State Department of Education pursuant to Section 56335 of the Education Code, as added by Chapter 647 of the Statutes of 2015 (Assembly Bill 1369 of the 2015–16 Regular Session), provides guidelines for educators, parents, and other stakeholders in identifying, assessing, and supporting pupils with dyslexia. While these guidelines created a road map for supporting pupils with dyslexia, the guidelines were developed before the establishment of the statewide system of support and are not integrated into those supports.

(D) To ensure existing research and available resources lead to improved outcomes for these pupils, the state must invest in a statewide effort to build upon the California Dyslexia Guidelines and to disseminate the knowledge and information of best practices throughout the statewide system of support.

(2) The statewide system of support established pursuant to Section 52059.5 of the Education Code should include expertise and resources to help school districts, county offices of education, and charter schools improve their ability to identify signs of dyslexia and other specific learning disabilities as early as possible and to provide evidence-based supports and services to pupils once identified.

(b) The California Dyslexia Initiative is hereby established for all of the following purposes:

(1) To build capacity in the statewide system of support for school districts, county offices of education, and charter schools to provide early intervention services and supports for pupils with specific learning disabilities, such as dyslexia, with a focus on improving outcomes for pupils in all education settings.

(2) To identify effective models for diagnosis and treatment of specific learning disabilities.
(3) To develop effective professional development for educators on evidence-based instruction and strategies informed by research to reduce the impact on long-term educational outcomes.

(4) To develop effective partnerships between school districts, county offices of education, and charter schools in using the statewide system of support structure administered by the California Collaborative for Educational Excellence and the resources of the State Department of Education to disseminate lessons learned from the capacity built pursuant to paragraph (1) and the models identified in paragraph (2).

(5) To disseminate the resources, information, and models identified in paragraphs (1) to (4), inclusive.

(c) By November 15, 2020, the State Department of Education and the California Collaborative for Educational Excellence, with approval from the executive director of the State Board of Education, shall designate an applicant county office of education to administer the California Dyslexia Initiative in direct consultation with the State Department of Education, the California Collaborative for Educational Excellence, and the postsecondary educational institution selected pursuant to subdivision (d). For this work, the designated county office of education shall demonstrate a willingness and capacity to do all of the following:

(1) Work collaboratively with the State Department of Education, the California Collaborative for Educational Excellence, and the postsecondary educational institution selected pursuant to subdivision (d) to further the purposes of the California Dyslexia Initiative described in subdivision (b).

(2) Communicate regularly with the State Department of Education and the California Collaborative for Educational Excellence.

(3) In partnership with the California Collaborative for Educational Excellence, document the outcomes of the activities described in this section throughout the duration of the California Dyslexia Initiative to ensure the resources, research, and professional development models that are developed are available throughout the statewide system of support and align with other statewide initiatives.

(4) Play a leadership role in the California Dyslexia Initiative.

(d) The designated county office of education shall contract with a California postsecondary educational institution, selected in consultation with the executive director of the State Board of Education, to expand the state’s dyslexia and specific learning disabilities early identification and evidence-based best practices for supports and services in furtherance of the California Dyslexia Initiative. The postsecondary educational institution shall be selected no later than December 1, 2020.

(e) The designated county office of education and the selected postsecondary educational institution shall identify existing evidence-based resources, professional development activities, and other efforts currently available at the state, federal, and local levels, and develop new evidence-based resources and activities designed to help local educational agencies across the state identify and provide services and supports to pupils with specific learning disabilities, as defined in Section 56337 of the Education Code, such as dyslexia. The identified and developed resources and activities shall be able to accomplish, at a minimum, all of the following:

(1) Develop professional development through train-the-trainer models or online training modules.

(2) Provide technical assistance to local educational agencies.
(3) Develop a network of educators who can provide coaching and training to other local educational agencies.

(4) Develop evaluation tools to measure the effectiveness of identified evidence-based strategies.

(f) (1) The sum of two million dollars ($2,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to allocate to the designated county office of education for the California Dyslexia Initiative.

(2) The sum of two million dollars ($2,000,000) is hereby appropriated from the Federal Trust Fund to the Superintendent of Public Instruction to allocate to the designated county office of education for the California Dyslexia Initiative.

(3) Of the total amount appropriated pursuant to paragraphs (1) and (2), the designated county office of education may use up to five hundred thousand dollars ($500,000) to administer the program.

(4) The designated county office of education shall submit an expenditure plan for the funds allocated pursuant to this subdivision to the Department of Finance for approval by January 20, 2021, that includes the estimated allocation to the postsecondary educational institution. The approved expenditure plan shall become operative no sooner than 30 days after notification is provided in writing to the Joint Legislative Budget Committee. The designated county office of education shall encumber or expend the funds appropriated pursuant to this subdivision by June 30, 2023.

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

SEC. 49. Item 6100-001-0890 of Section 2.00 of the Budget Act of 2021, as amended by Section 123 of Chapter 240 of the Statutes of 2021, is amended to read:

6100-001-0890—For support of State Department of Education, payable from the Federal Trust Fund

Schedule:

(1) 5205010-Curriculum Services.............. 143,369,000
(2) 5210066-Special Program Support........ 46,964,000

Provisions:

1. The funds appropriated in this item include federal Perkins V Act funds for the current fiscal year to be transferred to community colleges by means of interagency agreements. These funds shall be used by community colleges for the administration of career technical education programs.

2. Of the funds appropriated in this item, $96,000 is available to the Advisory Commission on Special Education for the in-state travel and operational
expenses of the commissioners and the secretary to the commission.

3. Of the funds appropriated in this item, $318,000 shall be used to provide training in culturally nonbiased assessment and specialized language skills to special education teachers.

4. Of the funds appropriated in this item, $16,824,000, of which $3,310,000 is available on a one-time basis, is for dispute resolution services, including mediation and fair hearing services, provided through contract for the special education programs. The State Department of Education shall ensure the quarterly reports that the contractor submits on the results of its dispute resolution services reflect year-to-date data and final yearend data, includes the same information as required by Section 56504.5 of the Education Code, and includes the following information:
   (a) The total number of cases won by each side.
   (b) The number of issues decided in favor of each side in split decisions.
   (c) The number of cases in which schools and parents were represented by attorneys.
   (d) The number of requests for due process initiated by parents that were dismissed for insufficiency.
   (e) The number of pupils of color who accessed the system.
   (f) The number of non-English-speaking people who used the system.
   (g) The length of each hearing.
   (h) The number of hearing requests initiated by parents.
   (i) The number of hearing requests initiated by school districts.
   (j) The school district of each parent-initiated request for due process.
   (k) The issues, within special education, that generated due process hearing requests during the quarter.
   (l) The disabilities that generated due process hearing requests during the quarter.
   (m) The age groups (preschool, primary, junior high, high school) that generated hearing requests.
   (n) The number of requests received during the quarter.
(o) The number of hearing decisions that were appealed to a court during the quarter.

(p) The number of cases that were completely resolved in mediation by agreement.

(q) The number of cases that were completely resolved in a mandatory resolution session.

5. Of the funds appropriated in this item, $443,000 is for 3.0 positions within the State Department of Education for increased monitoring associated with educationally related mental health services, including out-of-home residential services for emotionally disturbed pupils, required by an individualized education program pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004 (20 U.S.C. Sec. 1400 et seq.).

6. Of the funds appropriated in this item, at least $2,506,000 shall be available for the administration of 21st Century Community Learning Centers programs.

7. Of the funds appropriated in this item, $308,000 is available from federal Title II funds for an interagency agreement with the Commission on Teacher Credentialing to support teacher misassignment monitoring activities.

8. Of the funds appropriated in this item, up to $945,000 is available from federal Title II funds to support Title II-related priorities identified in the California State Plan adopted by the State Board of Education pursuant to the federal Elementary and Secondary Education Act as amended by the federal Every Student Succeeds Act (P.L. 114-95).

9. Of the funds appropriated in this item, $6,636,000 is for the California Longitudinal Pupil Achievement Data System (CALPADS), which is to meet the requirements of the federal Elementary and Secondary Education Act (ESEA), as amended by the federal Every Student Succeeds Act (P.L. 114-95) and Chapter 1002 of the Statutes of 2002. These funds are payable from the Federal Trust Fund to the State Department of Education (SDE). Of this amount, $5,641,000 is federal Title I, Part B funds and $995,000 is federal Title II funds. These funds are provided for the following purposes: $3,254,000 for systems housing and maintenance; $908,000 for costs associated with necessary system activities; $790,000 for SDE staff;
and $710,000 for various other costs, including hardware and software costs, indirect charges, Department of General Services charges, and operating expenses and equipment. As a further condition of receiving these funds, the SDE shall not add additional data elements to CALPADS, require local educational agencies to use the data collected through the CALPADS for any purpose, or otherwise expand or enhance the system beyond the data elements and functionalities that are identified in the most current approved Feasibility Study and Special Project Reports and the CALPADS Data Guide v4.1. In addition, $974,000 is for SDE data management staff responsible for fulfilling certain federal requirements not directly associated with CALPADS.

10. Of the funds appropriated in this item, $800,000 of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds is available for the State Department of Education to provide oversight and technical assistance for local educational agencies as the responsibility for overseeing educationally related mental health services transitions from county mental health agencies to special education local plan areas and to develop resources and provide technical assistance to local educational agencies for implementation of the federally required State Systemic Improvement Plan.

11. Of the funds appropriated in this item, at least $501,000 federal Title I, Part C, Migrant Education funds and 3.0 positions are provided for oversight and coordination of the State Parent Advisory Council, identification of qualifying program participants, and collecting and linking student data.

12. Of the funds appropriated in this item, up to $639,000 in federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds shall be available to the State Department of Education for warehouse costs related to providing accessible instructional materials to local educational agencies.

13. Of the funds appropriated in this item, $1,470,000 shall be available to support local Early Head Start services under the Early Head Start—Child Care Partnership Grant, consistent with the plan approved by the Department of Finance. This funding is available on a limited-term basis until June 30, 2024.
Of the funds appropriated in this item, $625,000 is available for 5.0 existing positions to establish and support a litigation unit within the State Department of Education’s Special Education Division.

Of the amount provided in Schedule (1), $381,000 is available for 2.0 existing positions in the Student Achievement and Support Division to support the work of the State Department of Education, the California Collaborative for Educational Excellence, lead county offices of education, and stakeholders to inform the work of agencies within the statewide system of support pursuant to paragraph (2) of subdivision (a) of Section 52073 of the Education Code.

Of the funds appropriated in this item, $138,000 in federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds is provided for 1.0 position to fulfill reporting requirements on the use of behavioral restraints and seclusion, pursuant to Chapter 998 of the Statutes of 2018.

Of the funds appropriated in this item, $150,000 in federal Title II funds and 1.0 position is available for the State Department of Education to administer the 21st Century California School Leadership Academy, in consultation with the State Board of Education and in collaboration with the California Collaborative for Educational Excellence.

Of the funds appropriated in this item, $612,000 is available to support training, technical assistance, and oversight of selected local educational agencies receiving the Project Advancing Wellness and Resilience in Education Grants. This funding is available on a limited-term basis until June 30, 2024.

Of the funds appropriated in this item, $1,639,000 shall be reserved for the professional development of private school teachers and administrators as required by Title II of the federal Every Student Succeeds Act (20 U.S.C. Sec. 6601 et seq.). This amount reflects the availability of $1,209,000 ongoing federal Title II funds and $430,000 ongoing federal Title IV funds.

Of the funds appropriated in this item, $207,000 and 1.5 positions are available for homeless student coordinators.

Of the funds appropriated in this item, $442,000 federal Title IV funds is available to support administration and compliance monitoring of the
federal Title IV grant activities and review of local control accountability plan federal addenda.

22. Of the funds appropriated in this item, $292,000 and 1.0 position is available for the administration of the Comprehensive Literacy State Development Grant.

23. Of the funds appropriated in this item, $116,000 and 1.0 position is available for the State Department of Education to collect the data necessary to fulfill the federal Every Student Succeeds Act (P.L. 114-95) requirement that local educational agencies annually report school-level, per-pupil expenditures.

24. Of the funds appropriated in this item, $420,000 in carryover is available in the 2021–22 fiscal year to provide mental health training programs for students and staff through Project Cal-STOP (Students, Teachers, and Officers Preventing) School Violence.

25. Of the funds appropriated in Schedule (1), $500,000 federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds shall be available for the Superintendent of Public Instruction to, pursuant to a competitive process and in consultation with and subject to the approval of the executive director of the State Board of Education, contract for a study with a nongovernmental research institution or institution of higher education that examines special education nonpublic school or agency (NPS/A) placements in the manner and for the purposes set forth in this provision.

(a) The study shall be an examination of nonpublic school placements for students with exceptional needs, ages 3 to 21, inclusive, and shall include, but not be limited to, the following:

(1) An evaluation of how California compares to other states in serving students with complex support needs through specialized schools and contract services such as nonpublic schools and agencies.

(2) An analysis of both in-state and out-of-state NPS/A placements of California students with disabilities, including student's educational placement prior to NPS/A placement and whether they were involved in the foster care and juvenile justice systems.

(3) An evaluation of the process used and the factors considered by Individualized
Educational Program teams in determining appropriate placements, including the use of legal advocates and assessments to inform placement decisions.

(4) An analysis of student outcomes in NPS/A placements, including attendance and engagement, measures of behavior and social functioning, and parent or guardian satisfaction.

(5) An evaluation of the education certification process for nonpublic schools, including monitoring and oversight activities at both the state and local levels to support ongoing quality services and supports for students.

(6) An analysis of how to improve interagency coordination between the State Department of Education and the State Department of Social Services in certifying and monitoring the educational program and residential program components of NPS/As at the state and local levels.

(b) In conducting the study the contracted entity shall consult with representatives from nonpublic schools and agencies, local educational agencies, appropriate county and state agencies, and legislative staff.

(c) On or before October 1, 2023, the Superintendent of Public Instruction shall provide the chairs of the relevant policy committees and budget subcommittees of the Legislature, the executive director of the State Board of Education or their designee, and the Director of Finance with a report that details the results of the study in the areas specified in subdivision (a).

(d) The amount appropriated for purposes of this provision shall be available for encumbrance or expenditure until June 30, 2024.

26. Of the funds appropriated in this item, $371,000 in one-time federal carryover is available to support the Immediate Aid to Restart School Operations program.

27. Of the funds appropriated in Schedule (1), $203,000 in one-time federal carryover is available for state-level support of the Project Cal-Well program.

28. Of the funds appropriated in this item, $1,437,000 in one-time federal carryover is available for the
professional development of private school teachers and administrators as required by Title II of the federal Every Student Succeeds Act (20 U.S.C. 6601 et seq.).

29. Of the funds appropriated in Schedule (1), $250,000 of one-time federal Title III carryover is available to develop a standardized English Learner reclassification teacher observation protocol pursuant to Section 313.3 of the Education Code.

30. Of the funds appropriated in Schedule (1), $136,000 of federal Title I, Part C funds and 1.0 positions is provided for the State Department of Education to develop enhancements for system-to-system interoperability between the Migrant Student Information Network and the California Longitudinal Pupil Achievement Data System.

31. Of the funds appropriated in Schedule (2), $5,944,000 is available on a one-time basis for state administrative expenses related to administering the Child and Adult Care Food Program.

32. Of the funds appropriated in Schedule (2), $2,573,000 is available on a one-time basis for state administrative expenses related to administering child nutrition program emergency operating costs, pursuant to Section 722 of the federal Consolidated Appropriations Act, 2021 (P.L. 116-260).

35. Of the funds appropriated in Schedule (1), $300,000 in one-time federal carryover is available for the administration of the Comprehensive Literacy State Development Grant program.

36. Of the funds appropriated in Schedule (1), $1,508,000 of Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds, of which $215,000 is available on a one-time basis, and 6.0 positions shall be available to address special education complaints and perform court-ordered special education monitoring of local educational agencies.

37. Of the funds appropriated in Schedule (1), $750,000 of Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds shall be available on a one-time basis to purchase special education monitoring software.

38. Of the amount provided in Schedule (1), $282,000 is available to support 2.0 positions in the Rural
Education and State Support Office to conduct federal program monitoring of, and to provide technical assistance to, local educational agency recipients of the Title IV, Student Support and Academic Enrichment Grant.

39. Of the amount provided in Schedule (1), $391,000 is available for 3.0 positions in the School Fiscal Services Division and $143,000 is available for 1.0 position in the Analysis, Measurement, and Accountability Reporting Division to support the identification of schools who are eligible for comprehensive support and improvement in the allocation of funding to local educational agencies that serve the identified schools pursuant to the federal Every Student Succeeds Act (P.L. 114-95).

40. Of the funds appropriated in this item, up to $1,195,000 federal Title I funds is available to support monitoring and evaluation of the use of funds by local educational agencies receiving an allotment pursuant to Section 1003 of the federal Elementary and Secondary Education Act, as amended by the federal Every Student Succeeds Act (P.L. 114-95).

41. (a) Of the funds appropriated in Schedule (1), $300,000 is available for the Superintendent of Public Instruction to, on or before May September 1, 2022, contract, through a competitive process, with an institution of higher education or a nongovernmental organization with expertise in Individualized Education Program (IEP) facilitation and alternative dispute resolution in special education in California to develop the model for an IEP Facilitation Network. The model developed shall delineate policies and procedures to ensure that the IEP facilitation services are provided by neutral, trained facilitators in compliance with relevant state and federal law. These funds are subject to a maximum of 8 percent indirect cost rate for the contracted entity under this provision. In performing this work, the contracted entity shall do all of the following:
   (1) Solicit stakeholder input to inform the development of the model.
   (2) Ensure that the model is reflective of nationally-recognized best practices for state IEP facilitation programs and responsive to
the needs of California families and local educational agencies.

(3) Designate at least $50,000 of the contract amount to work in consultation with the organization designated by the United States Department of Education to assist states in improving special education dispute resolution systems.

(b) On or before July 1, 2023, the contracted entity shall provide a written report describing the model developed, and identifying options and associated resource and capacity needs for piloting the IEP Facilitation Network in local educational agencies of varying sizes, regions, and pupil demographics. The Superintendent of Public Instruction shall distribute the report provided to the appropriate fiscal and policy committees of the Legislature, the State Board of Education, and the Department of Finance within 30 days of receipt.

(c) The amount appropriated for purposes of this provision shall be available for encumbrance or expenditure until June 30, 2024.

42. (a) Of the funds appropriated in Schedule (1), $10,000,000 federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds shall be available on a one-time basis to provide technical assistance and support to local educational agencies in developing and administering comprehensive Individualized Education Programs, and to develop tools and resources to assess and address learning and service needs for students with disabilities stemming from COVID-19 during the 2021–22 fiscal year. Technical assistance shall include, but is not limited to, all of the following:

(1) Issuing guidance, no later than September 1, 2021, to provide support to local educational agencies in identifying factors to consider when conducting individualized determinations of need to address impacts to learning or services related to COVID-19 school disruptions, including examples of strategies to monitor pupil progress for purposes of conducting these determinations
and guidance on the development of comprehensive Individualized Educational Programs that are responsive to identified student needs.

(2) Providing targeted support to local educational agencies to resolve procedural compliance issues, including, but not limited to, late Individualized Educational Programs and evaluations for eligibility for special education services.

(3) Providing support to local educational agencies to identify, assess, and address student needs, including, but not limited to:
   (A) Providing support to local educational agencies to analyze, interpret, and utilize local academic assessments and other measures used for purposes of making determinations of student need, consistent with the guidance required by this provision.
   (B) Providing support to local education agencies to utilize other assessments to determine student socio-emotional needs.
   (C) Providing support to local educational agencies in developing comprehensive Individualized Educational Programs that are responsive to student needs, consistent with the guidance required by this provision.

(b) Technical assistance provided pursuant to this provision shall be complimentary to assistance provided by the Statewide System of Support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.

(c) When performing these activities, the department may enter into appropriate contracts to provide support and services, as necessary.

(d) For purposes of this provision, “local educational agencies” means a school district, a county office of education, a charter school, the state special schools for the deaf and the blind, or a special education local plan area.

43. Of the amount appropriated in Schedule (1), $100,000 federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds is available on a one-time basis for the State Department of Education
to support the expansion of Family Empowerment Centers on Disability.

44. Of the amount appropriated in Schedule (1), $300,000 federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds is available on a one-time basis for the State Department of Education to develop a template to collect data and develop or update a uniform data collection system for Family Empowerment Centers on Disability pursuant to the provisions provided in the 2021 Education Omnibus Trailer Bill for this purpose.

45. On or before October 1, 2022, and annually thereafter, the Superintendent of Public Instruction shall provide a list to the appropriate fiscal and policy committees of the Legislature and the Department of Finance identifying the number and names of the Family Empowerment Centers on Disability that are subject to a continued funding eligibility assessment pursuant to subdivision (b) of Section 56408 of the Education Code in the following fiscal year. Beginning in the 2023–24 fiscal year and annually thereafter, $10,000 Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) funds shall be made available to assess each Family Empowerment Center on Disability that has been identified by the Superintendent as being subject to a continued funding eligibility assessment during the fiscal year.

46. Of the amount appropriated in Schedule (1), $938,000 is available on a one-time basis for state administrative expenses related to the Emergency Assistance to Non-Public Schools funds as provided under Section 312(d) of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, (Division M, P.L. 116-260).

47. Of the amount appropriated in Schedule (1) $907,000 is available on a one-time basis for state administrative expenses related to the Emergency Assistance to Non-Public Schools funds as provided under Section 2002(a) of the federal American Rescue Plan Act, 2021 (P.L. 117-2).

SEC. 50. Item 6100-485 of Section 2.00 of the Budget Act of 2021 is amended to read:
6100-485—Reappropriation (Proposition 98), State Department of Education. The sum of $165,712,000 is hereby reappropriated from the Proposition 98 Reversion Account for the following purpose:

**0001—General Fund**

(1) The sum of $165,712,000 is hereby appropriated to the Superintendent of Public Instruction for the California Community Schools Partnership Program pursuant to the provisions provided in the 2021 Education Omnibus Trailer Bill for this purpose, for expenditure consistent with the requirements and percentage allocations of the California Community Schools Partnership Act pursuant to Chapter 6 (commencing with Section 8900) of Part 6 of Division 1 of Title 1 of the Education Code and shall be made available for encumbrance or expenditure consistent with subdivision (b) of Section 8902 of Part 6 of Division 1 of Title 1 of the Education Code.

SEC. 51. Item 6100-488 of Section 2.00 of the Budget Act of 2021, as amended by Section 140 of Chapter 240 of the Statutes of 2021, is amended to read:

6100-488—Reappropriation, State Department of Education.

Notwithstanding any other law, the balances from the following appropriations are available for reappropriation for the purposes specified in Provisions 2 to 6, inclusive:

**0001—General Fund**

(1) $878,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the After School Education and Safety Program in Schedule (1) of Item 6100-149-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(2) $556,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the California American Indian Education Centers in Schedule (1) of Item 6100-151-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(3) $296,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Special Education Programs for Exceptional Children in Schedule (1) of Item 6100-161-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(4) $2,230,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Child Development, Quality Rating
Improvement System Grants in Schedule (2) of Item 6100-196-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(5) $1,467,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Special Education Program for Individuals with Exceptional Needs in Schedule (3) of Item 6100-161-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

(6) $3,285,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the K–12 Mandated Programs Block Grant in Schedule (1) of Item 6100-296-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

(7) $5,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the American Indian Early Childhood Education in Schedule (1) of Item 6100-150-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

(8) $14,817,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the California Student Assessment System in Schedule (4) of Item 6100-113-0001 of the Budget Act of 2020 (Chs. 6 and 7, Stats. 2020)

(9) $17,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the American Indian Early Childhood Education Program in Schedule (1) of Item 6100-150-0001 of the Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(10) $198,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the California-Growth Fresh School Meals Grant Program of Section 135 of Chapter 32 of the Statutes of 2018

(11) $230,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the California American Indian Education Centers in Schedule (1) of Item 6100-151-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

(12) $324,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Career Technical Education Initiative in Schedule (1) of Item 6100-170-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)
(13) $7,500,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the State Preschool-Local Education Agencies in Schedule (1) of Item 6100-196-0001 of the Budget Act of 2020 (Chs. 6 and 7, Stats. 2020)

(14) $80,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Career Technical Education Initiative in Schedule (1) of Item 6100-170-0001, Budget Act of 2020 (Chs. 6 and 7, Stats. 2020)

(15) $1,500,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the California Collaborative for Educational Excellence in Provision 3 of Item 6100-488 of the Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

(16) $710,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for California’s pupil testing program in Schedule (2) of Item 6100-113-0001, Budget Act of 2020 (Chs. 6, and 7, Stats. 2020).

Provisions:

1. The sum of $7,326,000 is hereby reappropriated to the State Department of Education (SDE) to support the existing California Early Math Initiative as established by Provision 3 of Item 6100-195-0890 of the Budget Act of 2018 (Ch. 840, Stats. 2018). These funds shall be available through June 30, 2024, for the Fresno County Office of Education to continue to administer the California Early Math Initiative 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. The SDE shall complete the transfer of funds to the Fresno County Office of Education no later than December 1, 2021.

2. The sum of $10,008,000 is hereby reappropriated to the Superintendent of Public Instruction for allocation to the Oakland Unified School District in accordance with Chapter 6.5 (commencing with Section 42160) of Part 24 of Division 3 of Title 2 of the Education Code. The disbursement of these funds is contingent on the Oakland Unified School District’s completion of all of the following:
   (a) Affirmative action by the governing board to continue planning for, and timely implementation
of a school and facility closure and consolidation plan that supports the sale or lease of surplus property.

(b) The required annual audit for 2020 filed no later than December 15, 2021.

(c) Affirmative board action to continue to update or develop short-term and long-term financial plans based on best practices and reasonable and accurate assumptions.

3. The sum of $924,000 is hereby reappropriated to the State Department of Education for invoice costs associated with administering the English language proficiency assessment during the 2019-20 school year.

4. The sum of $515,000 is hereby reappropriated to the State Department of Education for contract costs associated with administering the English language proficiency assessment.

5. The sum of $195,000 is hereby appropriated to the State Department of Education for contract costs associated with conducting an alignment study for the Summative English language proficiency assessment to demonstrate that it is aligned to the 2012 English Language Development Standards.

6. The sum of $13,625,000 is hereby reappropriated to the Superintendent of Public Instruction for the California Community Schools Partnership Program pursuant to the provisions specified in the 2021 Education Omnibus Trailer Bill for this purpose, for expenditure consistent with the requirements and percentage allocations of the California Community Schools Partnership Act pursuant to Chapter 6 (commencing with Section 8900) of Part 6 of Division 1 of Title 1 of the Education Code and shall be made available for encumbrance or expenditure consistent with subdivision (b) of Section 8902 of Part 6 of Division 1 of Title 1 of the Education Code.

7. The sum of $1,500,000 is hereby reappropriated to the Superintendent of Public Instruction for allocation to the Marin County Office of Education to support California Collaborative for Educational Excellence activities related to the biweekly instructional surveys pursuant to Sections 32091 and 32095 of the Education Code.
SEC. 52. Section 47 of Chapter 252 of the Statutes of 2021 is amended to read: Sec. 47. Notwithstanding any other law, and until July 1, 2023, any holder of a credential or permit issued by the Commission on Teacher Credentialing that authorizes the holder to substitute teach in a general, special, or career technical education assignment may serve in a substitute teaching assignment aligned with their authorization, including for staff vacancies, for up to 60 cumulative days for any one assignment. Nothing in this section shall preclude a local educational agency from following the hiring provisions outlined in Section 44225.7 of the Education Code.

SEC. 53. Section 52 of Chapter 252 of the Statutes of 2021 is amended to read: Sec. 52. The amount appropriated in the 2020–21 fiscal year for emergency assistance to nonpublic schools as provided under Section 312(d) of Division M of the federal Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260), to the Superintendent of Public Instruction for allocation to eligible nonpublic schools to address the impact of COVID-19 on nonpublic school pupils and teachers in the state, shall be available for encumbrance through September 30, 2023.

SEC. 54. 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. 55. (a) (1) For the 2022–23 fiscal year, the sum of seven hundred ninety-nine million forty-four thousand dollars ($799,044,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to local educational agencies for the Expanded Learning Opportunities Program described in Section 46120 of the Education Code, for the purposes of infrastructure, equipment, and arts and music programming and education, pursuant to this section.

(b) The sum of the funds appropriated pursuant to subdivision (a) and the funds reappropriated for the purposes of this section pursuant to Items 6100-485 and 6100-488 of the Budget Act of 2022 shall be allocated to local educational agencies using the same methodology described in subdivision (d) of Section 46120 of the Education Code, and one-fourth of the total amount shall be allocated in each fiscal year from the 2022–23 fiscal year to the 2025–26 fiscal year, inclusive.

(c) Funding received by a local educational agency pursuant to subdivision (b) shall be expended to support the local educational agency’s expanded learning opportunity program pursuant to Section 46120, as follows:

(1) No less than 75 percent of a local educational agency’s allocation under this section shall be expended to incorporate or supplement funding for arts education programs within its expanded learning opportunity program. These expenditures may include, but are not limited to, instruction and training, supplies, materials, and art educational partnership programs, for instruction in dance, media arts, music, theater, visual arts, including folk art, painting, sculpture, photography, and craft arts, creative expression including graphic arts and design, computer coding, animation, music composition and ensembles, script writing, costume design, film, and video.

(2) Funds that are not expended by a local educational agency for the purposes described in paragraph (1) may be used to acquire equipment or support infrastructure upgrades needed to operate its expanded learning opportunity program.

(d) For purposes of this section, the following definitions apply:
(1) “Expanded learning opportunities” has the same meaning as “expanded learning” as defined in Section 8482.1 of the Education Code. “Expanded learning opportunities” does not mean an extension of instructional time, but rather, opportunities to engage pupils in enrichment, play, nutrition, and other developmentally appropriate activities.

(2) “Local educational agency” means a school district or charter school, excluding a charter school established pursuant to Section 47605.5 of the Education Code.

(3) “Unduplicated pupil” has the same meaning as in Section 42238.02 of the Education Code.

(e) The requirements of this section shall not be waived by the State Board of Education pursuant to Section 33050 or any other law.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), one million four hundred two thousand dollars ($1,402,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2022–23 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2022–23 fiscal year.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), two hundred seventy-five million two hundred eighteen thousand dollars ($275,218,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2022–23 fiscal year.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), five hundred twenty-two million four hundred twenty-four thousand dollars ($522,424,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 56. (a) The sum of five hundred million dollars ($500,000,000) is hereby appropriated from the General Fund to the State Department of Education for the department, in consultation with the Chancellor’s office of the California Community Colleges, to administer a competitive grant program pursuant to Article 8.5 (commencing with Section 41585) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code. The funds appropriated pursuant to this section shall be available for encumbrance until June 30, 2027.
(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

SEC. 57. (a) The sum of one billion five hundred million dollars ($1,500,000,000) is hereby appropriated from the General Fund to the State Department of Education for the Golden State Pathways Program established pursuant to Chapter 16.1 (commencing with Section 53020) of Part 28 of Division 4 of Title 2 of the Education Code. The funds appropriated pursuant to this section shall be available for encumbrance until June 30, 2027.

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

SEC. 58. (a) (1) (A) For the 2022–23 fiscal year, the sum of one billion five hundred million dollars ($1,500,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to establish the School Transportation Grant Program consistent with this section.

(B) The Superintendent shall apportion competitive grants, with a minimum grant amount of five hundred thousand dollars ($500,000), to local educational agencies for the purpose of achieving zero-emission schoolbus fleets by supporting the purchase of electric schoolbuses, schoolbus charging infrastructure, and related activities including, but not limited to, charging stations, equipment, site design, construction, and related infrastructure upgrades, and supporting local educational agencies in the administration of their existing school transportation programs.

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

(A) “Electric schoolbus” means a schoolbus utilizing zero-emission vehicle technology with bidirectional charging capability.

(B) “Grantee” means a local educational agency receiving a grant award under this section.

(C) “Local educational agency” means any of the following:

(i) A school district, county office of education, or charter school in possession of their own schoolbus or schoolbuses.

(ii) A school district or charter school that contracts with a county office of education or private contractor for the maintenance and operation of its schoolbuses.

(iii) A joint powers authority currently operating home-to-school transportation programs on behalf of school districts, county offices of education, or charter schools.

(D) “Small school district” means a school district with fewer than 2,501 units of average daily attendance.
(3) (A) Funding received by a grantee pursuant to paragraph (1) shall be awarded by the Superintendent with priority given to grantees serving a high number of unduplicated pupils, as defined in Section 42238.02, grantees operating the oldest internal combustion buses, and grantees that are small and rural districts.

(B) No less than 90 percent of a grantee’s grant award shall be expended for the purchase of electric schoolbuses, as well as the supporting charging infrastructure needed to operate the electric schoolbuses and related activities including, but not limited to, charging stations, equipment, site design, construction, and related infrastructure upgrades.

(C) If a grantee is unable to purchase a bus using zero-emission vehicle technology within the program’s stated timelines, the grantee shall first submit to the Superintendent a written justification explaining why the vehicle cannot be acquired within the program’s stated timelines, no later than May 30, 2023.

(D) Any funds not used for the purposes of subparagraph (B), may be expended to incorporate or supplement funding for the grantee’s school transportation program. These expenditures may include, but are not limited to, all of the following:

   (i) Administrative and other infrastructure costs related to the transportation program, program supplies, short-term bonus incentives for hiring additional bus drivers in the grantee’s district, and schoolbus-related upgrades.

   (ii) Upgrades for remaining diesel, compressed natural gas, propane, gasoline, or other vehicles used for the explicit transportation of pupils to and from school.

   (iii) Infrastructure necessary for vehicle deployment, bidirectional charging capability, and zero-emission fleet planning.

   (iv) Permitting and workforce training costs.

   (b) (1) Any schoolbuses that are replaced pursuant to this section shall be scrapped no later than 12 months from date of delivery of the replacement vehicles. Grantees shall provide to the Superintendent proof of scrap of the retired internal combustion bus or buses.

   (2) No later than June 30, 2023, grantees shall submit schoolbus and infrastructure information and documentation resulting from the grants provided in this section, to the State Department of Education, the State Air Resources Board, and the State Energy Resources Conservation and Development Commission.

   (c) Grants received pursuant to this section shall supplement, not supplant, existing services and funds provided by grantees in support of transportation programs.

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

SEC. 59. The sum of two million nine hundred sixty thousand dollars ($2,960,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to offset the State Department of Education’s costs associated with activities required to administer the Early Literacy Support Block Grant, consistent with subdivision (f) of Section 113 of Chapter 24 of Statutes of 2020.
SEC. 60. (a) For the 2022–23 fiscal year, the sum of one billion two hundred fifty million dollars ($1,250,000,000) is hereby appropriated from the General Fund to the State Allocation Board for new construction and modernization projects under the Leroy F. Greene School Facilities Act of 1998, pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code.

(b) The funds appropriated in subdivision (a) shall be available for encumbrance or expenditure by the State Allocation Board until December 31, 2024.

(c) It is the intent of the Legislature to appropriate nine hundred twenty-five million dollars ($925,000,000) from the General Fund in the 2023–24 fiscal year to the State Allocation Board to fund projects for the same purposes as described in subdivision (a).

SEC. 61. (a) The sum of thirty million dollars ($30,000,000) is hereby appropriated from the General Fund to the State Department of Education. The Superintendent of Public Instruction shall allocate these funds to the Special Olympics of Northern and Southern California for the purposes of supporting the Unified Champion Schools Program, the Healthy Athletes Program, and the Community Sports Program. It is the intent of the Legislature that the Special Olympics of Northern and Southern California expend or encumber approximately ten million dollars ($10,000,000) of this appropriation in each of the following fiscal years:

(1) The 2022–23 fiscal year.
(2) The 2023–24 fiscal year.
(3) The 2024–25 fiscal year.

(b) The funds appropriated in subdivision (a) shall be available for encumbrance until June 30, 2026.

SEC. 62. (a) The sum of four hundred fifty million dollars ($450,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase a school’s capacity to prepare meals served through the federal National School Lunch Program and federal School Breakfast Program from scratch and speed scratch, and to serve fresh and nutritious school meals using California-grown food. Funds allocated to eligible local educational agencies shall be encumbered no later than June 30, 2025.

(b) (1) Of the total amount appropriated under subdivision (a), each eligible local educational agency may receive a base allocation of one hundred thousand dollars ($100,000).

(2) (A) After allocations are made pursuant to paragraph (1), 50 percent of the remaining funds shall be allocated to local educational agencies with pupil populations that are at least 30 percent eligible for free and reduced-price meals.

(B) Allocation of funds pursuant to subparagraph (A) shall be proportionate based on a local educational agency’s total enrollment of pupils who are eligible for free and reduced-price meals.

(3) Allowable uses of funds allocated pursuant to paragraphs (1) and (2) include all of the following:

(A) Cooking equipment, including, but not limited to, electrical support and facility upgrade requirements, combination ovens, steamers, or tilting skillets.
(B) Service equipment, including, but not limited to, service lines, point-of-sale systems, or mobile carts.

(C) Refrigeration and storage, including, but not limited to, system upgrades, walk-in refrigerators, freezers, or blast chillers.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

(E) Supporting infrastructure system needs for items described in subparagraphs (A) to (D), inclusive.

(F) Training and professional development for local educational agency food service staff on promoting nutritious foods, which may include training on scratch cooking, food preparation, healthy food marketing, reducing food waste, and changing the school lunchroom environment.

(4) (A) After allocations are made pursuant to paragraphs (1) and (2), the remaining funds may be allocated to local educational agencies for planning and implementation of facility improvements and equipment upgrades to increase capacity for scratch cooking and speed scratch cooking. Allowable uses for this funding shall include the allowable uses described in paragraph (3), as well as costs for planning, associated with implementing scratch cooking and speed scratch cooking.

(B) To be eligible for funding under this paragraph, a local educational agency shall attest that no less than 40 percent of federal National School Lunch Program and federal School Breakfast Program meals, including the entree and grains, prepared each week, beginning in the 2023–24 school year, shall be prepared from scratch or speed scratch cooking.

(C) Allocation of funds pursuant to subparagraph (A) shall be proportionate based on the number of meals served in October 2022 by the local educational agency.

(c) The State Department of Education shall coordinate with the Department of Food and Agriculture to identify ways by which funding for scratch cooking may complement local educational agency programs enabled by California Farm to School Incubator Grants.

(d) As a condition of receiving funding pursuant to subdivisions (a) and (b), each local educational agency shall report to the State Department of Education, on or before June 30, 2025, on how it used the funding to improve the quality of school meals, increased participation in subsidized school meal programs, and, if applicable, increased the capacity for scratch cooking and speed scratch cooking.

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

(1) “Food service staff” means a person employed on a full-time or part-time basis as a classified school employee by a local educational agency.

(2) “Local educational agency” means a school district, county office of education, or charter school participating in the federal School Breakfast Program or the federal National School Lunch Program.

(3) “Minimally processed” means that the product was processed in a manner that does not fundamentally alter the product and may include food handling and preservation techniques, such as cooling, refrigerating, freezing, size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding, forming ground products into patties without any additives or fillers, drying or dehydration, washing, packaging, vacuum packaging and bagging, the addition of ascorbic acid or other
preservatives to prevent oxidation of product, butchering of livestock and poultry, cleaning fish, and the pasteurization of milk.

(4) “Nutritious” means, at a minimum, foods that align with the federal and state standards for meals served through the federal National School Lunch Program and the federal School Breakfast Program, and as further defined for purposes of Section 49531 of the Education Code.

(5) “Scratch cooking” means food service in which the preparation of meals takes place on a daily basis at or near the site of consumption, using whole ingredients in their most basic, minimally processed form.

(6) “Speed scratch cooking” means cooking with both fresh, raw, whole ingredients and ready-made products.

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

SEC. 63. (a) The sum of two hundred million dollars ($200,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation for the Multilingual School and Classroom Library Grant Program in the manner and for the purpose set forth in this section. These funds shall be available for encumbrance or expenditure until June 30, 2023.

(b) The Multilingual School and Classroom Library Grant Program is hereby established for the purpose of creating or expanding access to site-based multilingual school or classroom libraries offering culturally relevant and leveled texts to support pupils’ independent reading acquisition and mastery.

(c) (1) The funds appropriated pursuant to subdivision (a) shall be made available to allocate to eligible local educational agencies for schools to establish or expand the availability of leveled texts for pupils in site-based school and classroom libraries that include books that are culturally relevant to pupils’ home and community experiences and available in English and a pupil’s home language.

(2) Eligible local educational agencies shall receive a minimum grant amount of one hundred thousand dollars ($100,000) per qualifying schoolsite, pursuant to eligibility requirements described in subdivision (d).

(d) The funds appropriated pursuant to subdivision (a) shall be allocated to local educational agencies with schools that meet all of the following criteria:

(1) The school has a free or reduced-price meal program pupil population that is at least 80 percent of the school’s total pupil population.

(2) The school has an English learner pupil population that is at least 15 percent of the school’s total pupil population.

(3) The school serves pupils in state preschools operated by school districts or charter schools, kindergarten, or grades 1 to 3, inclusive.

(e) As a condition of receiving funds pursuant to this section, an eligible local educational agency shall report to the State Department of Education, on or before
September 30, 2023, on how it used the funding to establish or expand pupil access to multilingual texts.

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

1. “Home language” means the primary language used in a pupil’s home.
2. “Leveled texts” means texts that are at a pupil’s independent reading level, as determined through an appropriate assessment.
3. “Local educational agency” means a school district, county office of education, or charter school.
4. “School” means any site-based school of a local educational agency serving pupils in a classroom setting.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 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. 64. (a) The sum of fourteen million dollars ($14,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the county offices of education selected to develop model curricula for Native American studies, the Vietnamese American refugee experience, the Cambodian genocide, and Hmong history and cultural studies, pursuant to Sections 33540.2, 33540.4, 33540.6, and 51226.9 of the Education Code. The funding shall be split equally among the four model curricula, and shall supplement funding appropriated pursuant to Section 156 of Chapter 44 of the Statutes of 2021.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 65. (a) The sum of five hundred million dollars ($500,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation for the Reading and Literacy Educator Grant Program in the manner and for the purpose set forth in this section. Funds appropriated for this purpose are available through June 30, 2025, to provide grants consistent with subdivision (b), and to develop and provide training pursuant to subdivision (c).

(b) (1) Funds appropriated pursuant to this subdivision shall be made available to local educational agencies for schools eligible pursuant to paragraph (2) to employ and train literacy coaches and reading and literacy specialists to develop school literacy programs, mentor teachers, and develop and implement interventions for pupils in need of targeted literacy support.

(2) Of the funds appropriated pursuant to subdivision (a), less those allocated pursuant to subdivision (c), the State Department of Education shall compute an amount
per pupil enrolled in kindergarten or any of grades 1 to 6, inclusive, at each eligible schoolsite, such that no local educational agency shall receive less than three hundred thousand dollars ($300,000) per eligible schoolsite. Grant amounts shall be determined using 2021–22 school enrollment data. All grants awarded shall be matched by the local educational agency with a local match equal to one-half dollar ($0.50) for each dollar ($1) of grant funding received. The match shall be contributed in cash or as services or resources of comparable value. It is the intent of the Legislature that local educational agencies receiving an allocation of funds pursuant to this paragraph use these resources over the full three-year grant period, commencing with the 2022–23 fiscal year.

(c) Of the funds appropriated pursuant to subdivision (a), twenty-five million dollars ($25,000,000) shall be available on a one-time basis for the Superintendent of Public Instruction, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, to contract with a local educational agency to develop and provide training for literacy coaches and reading and literacy specialists. The Superintendent shall, by no later than October 1, 2022, develop criteria for the selection of a grantee for these funds, with priority for applicants with demonstrated success in improving literacy, especially among underperforming pupil subgroups, as well as for those planning on partnering with institutions of higher education or other public agencies with demonstrated success in providing statewide professional development for expert literacy practice.

(d) As a condition of receiving funds pursuant to this section, a recipient local educational agency shall report to the State Department of Education, on or before June 30, 2026, on how it used the funding to prepare and employ reading and literacy educators for its eligible schools, how those hires impacted pupils’ literacy achievement, including for pupil subgroups, how it plans to continue to fund reading and literacy educators past the grant award period, and other metrics as determined by the State Department of Education.

(e) The Superintendent of Public Instruction shall provide a comprehensive report, on or before December 31, 2026, to the Governor and the appropriate policy and fiscal committees of the Legislature on the impact of the grant program in preparing and hiring reading and literacy educators, and on how those hires impacted pupils’ literacy achievement and other metrics determined by the State Department of Education, disaggregated by pupil subgroups.

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

1. “Eligible schoolsite” means a schoolsite operated by a local educational agency with an unduplicated pupil percentage of 95 percent or greater for pupils enrolled in kindergarten and grades 1 to 6, inclusive, based on 2021–22 census day pupil data. The unduplicated pupil percentage shall be calculated by the sum of the number of unduplicated pupils eligible for free and reduced-price meals, English language learners, and youth in foster care, divided by each schoolsite’s total enrollment.

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

3. “School” means any school of a local educational agency serving pupils in a classroom setting.

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

SEC. 66. (a) A basic aid school district that experiences a decrease in local property tax revenues as a result of the wildfires of 2020 shall be reimbursed from the General Fund for losses experienced in the 2020–21 and 2021–22 fiscal years. Reimbursement amounts shall be provided according to the reimbursement schedule submitted to the Department of Finance by the affected counties. The funds needed for reimbursement shall be allocated by the Controller to the affected school districts according to a schedule provided by the Department of Finance not later than September 30, 2022.

(b) For purposes of this section, the term “basic aid school district” means a school district that did not receive from the state, for the 2019–20 fiscal year as of the second principal apportionment, an apportionment of state funds as described in subdivision (o) of Section 42238.02 of the Education Code.

(c) Notwithstanding subdivision (a), a school district entitled to funds pursuant to subdivision (e) of Section 46392 of the Education Code for the 2021–22 fiscal year shall not be eligible for reimbursement under this section for the 2021–22 fiscal year.

SEC. 67. Sections 17, 18, and 20 of this act shall become operative on July 1, 2022.

SEC. 68. 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) The Early Education Act, among other things, has a purpose of supporting the cognitive and social-emotional development of all children, including children with exceptional needs. The act defines children with exceptional needs as, among other things, children who require the special attention of adults while in a childcare setting. The act requires the Superintendent of Public Instruction to provide an inclusive and cost-effective preschool program, known as the California state preschool program. The act establishes eligibility requirements for participation in the California state preschool program. The act provides that a 3- or 4-year old child is eligible for the part-day and full-day state preschool program if the child’s family is homeless, among other eligibility options. The act provides that a family shall be considered to meet all eligibility and need requirements for these services for not less than 12 months, shall receive those services for not less than 12 months, and shall not be required to report changes for at least 12 months, as provided. The act requires each state preschool program applicant or contracting agency to give priority for part-day and full-day programs according to a specified priority ranking. The act establishes adjustment factors to reflect the additional expense of serving full-day preschool children, including children with exceptional needs, children with severe disabilities, and dual language leaner children, as provided.

This bill would remove from the definition of “children with exceptional needs” a requirement that the children require the special attention of adults while in a childcare setting. The bill would expand eligibility to the California state preschool program to also include 2-year-old children, as defined, as provided. The bill would additionally expand eligibility to the California state preschool program to include those families that have children with exceptional needs, as provided. The bill would provide that a family shall be considered to meet all eligibility and need requirements for these services for not less than 24 months, shall receive those services for not less than 24 months, and shall not be required to report changes for at least 24 months, as provided. The bill would require the State Department of Education to initiate rulemaking provisions to implement these provisions, as provided. The bill would revise and reorder the priority ranking for part-day and full-day California state preschool programs and establish a new second priority for all 3- and 4-year-old children with exceptional needs from families with incomes below the income eligibility threshold, as provided, among other changes to the existing priority order. The bill would increase specified adjustment factors for purposes of reflecting the additional expense of serving specified full-day preschool children, as provided.

(2) Existing law establishes the Inclusive Early Education Expansion Program for the purpose of increasing access to inclusive early care and education programs.
Existing law requires the department to convene a stakeholder workgroup, until June 30, 2023, relating to the program. This bill would appropriate $500,000,000 from the General Fund to the Superintendent for allocation to local educational agencies for purposes of the program. The bill would authorize the Superintendent to allocate up to $50,000,000 of the $500,000,000 to address state-level systems building and align local practice with the research and practice-based strategies that best promote pupil outcomes and program quality. The bill would require the workgroup to be maintained until June 30, 2027.

(3) The Early Education Act has a further purpose of supporting children experiencing developmental delays. This bill would appropriate $2,000,000 from the General Fund to the department to develop a process and tools, to be used in all California state preschool programs and available for use in transitional kindergarten and kindergarten programs, for early identification of children at risk for developmental delays or learning disabilities, as provided. The bill would also appropriate $60,000,000 from the General Fund to the Superintendent for allocation to local educational agencies to support statewide systems building activities and to support the alignment of local practices with research-based strategies that best promote pupil outcomes and program quality while also supporting the local implementation of the process and tools developed by the department.

(4) Existing law establishes the California Community Schools Partnership Act and appropriates specified moneys from the General Fund to the Superintendent of Public Instruction to administer the California Community Schools Partnership Program to award grants, including implementation and coordination grants, on a competitive basis to qualifying entities, as defined, to support the establishment of new, and for the expansion or continuation of existing, community schools at local educational agencies, as provided, and to contract with local educational agencies to create a network of at least 5 regional technical assistance centers to provide support and assistance to local educational agencies and community schools. Existing law requires the Superintendent to prioritize grant funding to qualifying entities who meet specified criteria. This bill would revise provisions of the act to, among other things, make changes to the definition of qualifying entity, remove the authority to issue coordination grants, revise priority criteria, and revise program evaluation requirements. The bill would require up to $60,000,000 of those appropriated moneys to be allocated to county offices of education serving at least 2 qualifying entities receiving grant funding pursuant to the act to coordinate county-level governmental, nonprofit, and other external partnerships to support community school implementation at qualifying entities in their county, as provided. By expanding the purposes for which those appropriated funds may be used, the bill would make an appropriation.

(5) Existing law establishes in state government the State Board of Education, and requires the state board to adopt rules and regulations, not inconsistent with the laws of the state, to govern the public elementary and secondary schools of the state. Existing law requires the Superintendent to act as executive officer of the state board. This bill would require the Governor, with the recommendation of the executive officer of the state board, to appoint persons to various positions that are exempt from state civil service, as specified.
(6) Existing law requires a school district that has been organized for more than 3 years to be lapsed, as defined, under certain conditions related to the number of registered electors or average daily attendance of pupils in the school district. Existing law authorizes a county board of education to defer the lapsation of a school district for one year under certain conditions and prohibits a county board of education from making more than 3 deferments for any school district. This bill instead would not limit the number of these deferments made for a school district by a county board of education.

(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, the first of which is based on the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in fiscal year 1986–87.

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

(8) Existing law establishes the Educator Effectiveness Block Grant, appropriates $1,500,000,000 to the Superintendent for purposes of the block grant, and requires the Superintendent to apportion those funds to school districts, county offices of education, charter schools, and the state special schools to provide professional learning for teachers, administrators, paraprofessionals who work with pupils, and classified staff that interact with pupils. Existing law authorizes grant funds to be used for programs that lead to effective, standards-aligned instruction and improve instruction in literacy across all subject areas, as provided, and for schoolsite and content staff to identify topics of professional learning.

This bill would authorize those grant funds to also be used for coursework that would allow existing staff to become credentialed or fully credentialed for their assignment and for costs reasonably related to providing and attending professional learning. By expanding the purposes for which those appropriated funds may be used, the bill would make an appropriation.

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

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

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

This bill would appropriate $500,000,000 from the General Fund to the State Department of Education for the department, in consultation with the Chancellor’s office of the California Community Colleges, to administer a competitive grant program to enable local educational agencies to establish opportunities for pupils to obtain college credits while enrolled in high school and provide dual enrollment opportunities, as provided. The bill would authorize local educational agencies to apply for one-time grants of up to $500,000 to support costs associated with coupling robust pupil advising and success supports with available dual enrollment and accelerated college credit opportunities. The bill would authorize local educational agencies to also apply for one-time grants of up to $250,000 to support the costs to plan for, and start up, a middle college or early college high school that is located on the campus of a local educational agency, as provided. The bill would authorize local educational agencies to also apply for one-time grants of up to $100,000 to establish a CCAP partnership, as provided.

(11) Existing law establishes a public school financing system that requires state funding for school districts and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of unduplicated pupils, as specified, served by the school district or charter school.

This bill, commencing with the 2022–23 fiscal year, would require the Superintendent to compute an add-on to the total sum of a school district or charter school’s base, supplemental, and concentration grants equal to $2,813 multiplied by the average daily attendance in transitional kindergarten in the prior or current fiscal year, whichever is greater, and would require this add-on to be annually adjusted for inflation commencing with the 2023–24 fiscal year, as specified.

(12) Existing law requires the local control funding formula, in part, to be based on average daily attendance, which for school districts is based in part on the second principal apportionment regular average daily attendance for the current or prior fiscal year, whichever is greater, and requires an adjustment for the calculation of average daily attendance for a sponsoring school district, as defined. Existing law requires the prior fiscal year average daily attendance for specified school districts to be increased by the prior fiscal year second principal apportionment average daily attendance.
This bill would require the calculation of the average daily attendance for school districts to also be based on the computation of the second principal apportionment regular average daily attendance for the average of the 3 most recent prior fiscal years, if greater than that of the current or prior fiscal year, and would specify the adjustments to be made to this computation for a sponsoring school district. The bill would repeal the latter above-described provision. The bill would require these provisions to become operative on July 1, 2022.

(13) Existing law establishes the 21st Century California School Leadership Academy to organize and offer professional learning opportunities for administrators and other school leaders and to provide grants to local educational agencies, institutions of higher education, and nonprofit educational services providers in a manner that ensures the availability of professional learning, free of charge, to local educational agencies, as provided. Existing law requires grantees to identify metrics to measure the effectiveness of professional learning and requires the State Department of Education and the California Collaborative for Educational Excellence to evaluate the professional learning opportunities offered or funded through the 21st Century California School Leadership Academy for their effectiveness.

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

(14) Existing law establishes the Expanded Learning Opportunities Program and requires the Superintendent to allocate certain amounts to school districts and certain charter schools that have a prior year unduplicated pupil percentage of 80% or more, and allocate the remainder of funds on a per unit basis of the school district or charter school’s prior year reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance attributable to unduplicated pupils, as specified. Existing law requires, as a condition of receipt of the first category of funds, school districts and charter schools to offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs that are no less than 9 hours of combined in-person instructional time and expanded learning opportunities, as defined, per instructional day on school days, and no less than 9 hours of expanded learning opportunities per day for at least 30 nonschool days during intersessional periods, and to ensure access is provided for any pupil whose parent or guardian requests their placement in a program.

This bill, commencing with the 2022–23 school year, would require the Superintendent to instead allocate certain amounts to school districts and charter schools that have a prior year unduplicated pupil percentage of 75% or more, and would instead impose the above-described condition to receive these funds. The bill, commencing with the 2023–24 school year, would require, as a condition of receipt of the remainder of funds, school districts and charter schools to offer to at least all unduplicated pupils in kindergarten and grades 1 to 6, inclusive, and provide to at least 50% of those pupils access to expanded learning opportunity programs. The bill, commencing with the 2023–24 school year, would require the Superintendent to withhold certain amounts from a school district or charter school’s apportionment if it does not offer those programs or meet the above-described day or hour requirements.
This bill would appropriate $799,044,000 from the General Fund to the State Department of Education for allocation to local educational agencies for the Expanded Learning Opportunities Program for infrastructure, equipment, and arts and music programming and education, as specified.

(15) Existing law requires a pupil to complete designated coursework while in grades 9 to 12, inclusive, in order to receive a diploma of graduation from high school. This bill would require a local educational agency to exempt an individual with exceptional needs who satisfies specified eligibility criteria from all coursework and other requirements adopted by the governing board or governing body of the local educational agency that are additional to the above-described coursework requirements and to award the pupil a diploma of graduation from high school, as specified. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(16) Existing law authorizes a school district, charter school, or county office of education to provide an independent study program for, and independent study courses to, pupils enrolled in kindergarten and grades 1 to 12, inclusive, in accordance with prescribed conditions. Existing law prohibits a local educational agency from being eligible to receive apportionments for independent study by pupils unless the local educational agency has adopted and implemented written policies, including a requirement that a current written agreement with specified content for each independent study pupil is maintained on file, and authorizes a local educational agency to claim apportionment credit for independent study only to the extent of the time value of pupil work products. This bill would make various changes to these provisions, including requiring the certificated employee designated as having responsibility for the special education programming of the pupil to sign the written agreement, as specified, and defining pupil work products for asynchronous and synchronous online instruction.

(17) Existing law requires the governing board of a school district and the county superintendent of schools to establish parent advisory committees to provide advice to certain persons and entities regarding school accountability, as specified. Existing law requires a parent advisory committee to include parents or legal guardians of certain pupils, including pupils who are eligible for free or reduced-price meals, pupils who are foster youth, and pupils of limited English proficiency. This bill would revise requirements regarding the composition of those parent advisory committees to, among other things, require the inclusion of parents or legal guardians of pupils with disabilities currently enrolled in those schools. To the extent this requirement imposes additional duties on local educational agencies, the bill would impose a state-mandated local program.

(18) Existing law requires the State Board of Education to adopt a template for use by school districts, county superintendents of schools, and charter schools for a local control and accountability plan and an annual update to the local control and accountability plan. Existing law also authorizes the state board to require the inclusion of additional information in the template in order to meet requirements of federal law. This bill would require the state board to, on or before January 31, 2024, adopt a special education addendum to the template for school districts, charter schools, and county offices of education to conduct integrated continuous improvement planning to improve outcomes for individuals with exceptional needs, as specified. The bill
would exempt the development of this template from the requirements of the Administrative Procedure Act which governs, among other things, the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. The bill would require the special education addendum to be developed in conjunction with, and attached to, the local control and accountability plan and annual update to the local control and accountability plan, and would require the special education addendum to be adopted by a governing board of a school district, county board of education, or charter school, as specified. The bill would, on or before July 1, 2024, require specified local educational agencies to complete the special education addendum. The bill would require a charter school to post this and any other addenda, including those to comply with federal law, on its internet website, and would require the superintendent of a school district and a county superintendent of schools to post this and any other addenda, including those to comply with federal law, of certain local educational agencies within their respective jurisdiction on their respective internet website. To the extent these provisions impose additional duties on local educational agencies, the bill would impose a state-mandated local program.

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

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

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

The bill would authorize county offices of education or consortia of county offices of education to be eligible for selection to serve as special education resource leads under the above-described process. The bill would require at least 3 resource leads to instead be selected in a manner to ensure statewide representation and focus directly on building local and regional capacity, and would, commencing with the grant cycle beginning July 1, 2023, require at least one resource lead to be selected to support the development and implementation of high-quality individualized education programs.

(21) Existing law establishes the California Collaborative for Educational Excellence and the State Department of Education to establish a process, administered by the department, to select, subject to approval by the executive director of the state
board, county offices of education to serve as geographic lead agencies to conduct specified activities, including assisting in building the capacity of county offices of education within the geographic lead agency’s defined geographic area to provide effective assistance and support to school districts under the state priorities for purposes of a local control and accountability plan.

This bill would require the department and the collaborative to establish a process, administered by the department in consultation with the Commission on Teacher Credentialing, to select, subject to the approval of the executive director of the state board, a county office of education in each geographic lead agency region to serve as a Personnel Management Assistance Team, as provided. The bill would require the Personnel Management Assistance Teams to provide technical assistance to local educational agencies in establishing and maintaining effective personnel management, recruitment, hiring, and retention practices that support the educator workforce within the scope of any existing collective bargaining agreement. The bill would require the department to provide resources and coordination efforts, in collaboration with other state entities, to the Personnel Management Assistance teams, as provided. The bill would authorize the superintendent of any school district or county to request that the Personnel Management Assistance Team review the personnel practices of a school district under their jurisdiction and recommend practices or organizational functions to facilitate the timely hiring and placement of qualified educators, as provided. The bill would require the California Collaborative for Educational Excellence to evaluate the Personnel Management Assistance Teams on or before December 31, 2025.

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

This bill would establish the Golden State Pathways Program to promote pathways in technology, health care, education, and climate-related fields that, among other things, allow pupils to advance seamlessly from high school to college and career and provide the workforce needed for economic growth. The bill would appropriate $1,500,000,000 from the General Fund to the department to competitively award grant funds to school districts, charter schools, county offices of education, or regional occupational centers or programs operated by a joint powers authority. The bill would require grant applicants to commit to providing high school pupils with various academic and career development opportunities that prepare pupils for college and career success, as provided. The bill would condition grant eligibility on certain funding commitments, alignment with the priorities and activities of the grantee’s local control and accountability plan, and data collection, as provided. The bill would authorize the Superintendent to award up to 10% of the total grant funds as consortium development and planning grants and no less than 85% of the total grant funds as implementation grants, as provided. The bill would authorize the department to use up to 5% of the total appropriation to contract with up to 10 local educational agencies for the provision of technical assistance to applicants and grant recipients, as provided.

(23) Existing law requires a school district to submit to the Superintendent a local plan for the education of all individuals with exceptional needs either on its own, in conjunction with one or more school districts, or with the county office of education,
as specified. Existing law requires, commencing July 1, 2023, each local plan to include an annual assurances support plan, as provided. Existing law requires the State Department of Education to develop a template for the annual assurances support plan by July 1, 2022.

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

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

This bill, commencing with the 2022–23 fiscal year, would require, to the extent there is one of the above-described appropriations, the Superintendent to instead allocate funds per unit of average daily attendance, as specified, reported for a local educational agency for the prior or current fiscal year, respectively, as of the second principal apportionment.

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

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

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

This bill would appropriate $2,960,000 from the General Fund to the Superintendent to offset the department’s costs associated with the Early Literacy
Support Block Grant and would repeal the department’s authority to use $3,000,000 of the $50,000,000 appropriation described above for that same purpose.

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

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

(28) Existing law appropriates $300,000 to the Superintendent to, on or before May 1, 2022, contract, through a competitive process, with an institution of higher education or a nongovernmental organization with expertise in individualized education program facilitation and alternative dispute resolution in special education in California to develop the model for an IEP Facilitation Network. Existing law requires the contracted entity, on or before July 1, 2023, to provide a written report describing the model developed, and identifying options and associated resource and capacity needs for piloting the IEP Facilitation Network.

This bill would delay those dates to September 1, 2022, and October 1, 2023, respectfully, and would extend the availability of those funds for encumbrance or expenditure until June 30, 2024, thereby making an appropriation.

(29) The Budget Act of 2021 appropriates $165,712,000 from the Proposition 98 Reversion Account and reappropriates $13,625,000 to the Superintendent for the California Community Schools Partnership Program, as provided.

This bill would extend the availability of the above-described appropriations for encumbrance or expenditure until June 30, 2028, thereby making an appropriation.

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

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

(31) Existing law requires a specified amount appropriated to the Superintendent of Public Instruction for emergency assistance to nonpublic schools, as provided under the federal Coronavirus Response and Relief Supplemental Appropriations Act, 2021, to be allocated to eligible nonpublic schools to address the impact of COVID-19 on nonpublic school pupils and teachers in the state. Existing law requires these funds to be available for encumbrance through September 30, 2022.

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

(32) For the 2022–23 fiscal year, this bill would appropriate $1,500,000,000 from the General Fund to the Superintendent to establish the School Transportation Grant Program, as provided. The bill would require the Superintendent to apportion competitive grants, with a minimum grant amount of $500,000, to certain school
districts, charter schools, county offices of education, and joint power authorities for the purpose of achieving zero-emission schoolbus fleets and supporting local educational agencies in the administration of their existing school transportation programs, as provided. The bill would impose requirements on both the Superintendent and grantees related to the program.

(33) For the 2022–23 fiscal year, this bill would appropriate $1,250,000,000 from the General Fund to the State Allocation Board for new construction and modernization projects under the Leroy F. Green School Facilities Act of 1998. The bill would state the intent of the Legislature to appropriate an additional $925,000,000 for the 2023–24 fiscal year for the same purpose.

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

(35) This bill would appropriate $450,000,000 from the General Fund to the department for allocation to school districts, county offices of education, and charter schools to expend on kitchen infrastructure upgrades that will increase a school’s capacity to prepare meals served through the federal National School Lunch Program and federal School Breakfast Program from scratch and speed scratch, and to serve fresh and nutritious school meals using California-grown food, as specified.

(36) This bill would establish the Multilingual School and Classroom Library Grant Program, as provided, for purposes of creating or expanding access to site-based multilingual school or classroom libraries offering culturally relevant and leveled texts to support pupils’ independent reading acquisition and mastery, and would appropriate $200,000,000 from the General Fund to the Superintendent for purposes of the grant program, as specified.

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

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

(38) This bill would appropriate $500,000,000 from the General Fund to the Superintendent for allocation for the Reading and Literacy Educator Grant Program in order to employ and train literacy coaches and reading and literacy specialists to develop school literacy programs, mentor teachers, and develop and implement interventions for pupils in need of targeted literacy support, as provided.
(39) Existing law defines a school district that does not receive funding pursuant to the local control funding formula, except as otherwise required, as a basic aid school district.

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

(40) 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.

(41) 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.

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