

Senate Bill No. 153

CHAPTER 38

An act to amend Sections 234.1, 1622, 8902, 14041.6, 14041.8, 14502.1, 17375, 32282, 32526, 41202, 41203.1, 41206.01, 41590, 41975, 42127.8, 42238.024, 42238.05, 42280, 43523, 43525, 44230, 44252, 44252.5, 44258.9, 44259, 44260.2, 44270.3, 44274.2, 44275.4, 44300, 44310, 44468, 44830, 44955.5, 45125.1, 46010, 46111, 46120, 46300, 46393, 47606.5, 47607.3, 48000, 48412, 48800, 48857, 49056, 49428.1, 49501.5, 49564.3, 51225.31, 51225.7, 51225.8, 51229, 51747, 51747.5, 51749, 51749.5, 51749.6, 52062, 52064.3, 52064.5, 52066, 52068, 52073, 52073.3, 52075, 53008, 56471, 56836.21, 60040.5, 60150, 60200, 60900, 60900.5, 60901, 69432.9, 69617, and 76225 of, to add Sections 244, 33043, 33128.2, 41206.04, 42252, 44235.25, 49083.5, 60151, and 84323 to, to add Article 9 (commencing with Section 46210) to Chapter 2 of Part 26 of Division 4 of Title 2 of, to add Article 4.1 (commencing with Section 66032) to Chapter 2 of Part 40 of Division 5 of Title 3 of, and to add and repeal Sections 49428.2, 51225.32, 52064.4, and 60227 of, the Education Code, to amend Section 83 of Chapter 51 of the Statutes of 2019, to amend Section 138 of Chapter 44 of the Statutes of 2021, and to amend Sections 121, 124, 129, and 134 of Chapter 52 of the Statutes of 2022, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor June 29, 2024. Filed with Secretary of
State June 29, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 153, Committee on Budget and Fiscal Review. Education finance: education omnibus budget trailer bill.

(1) Existing law, the Safe Place to Learn Act, requires the State Department of Education, as part of its regular monitoring and review of a local educational agency, to assess whether the local educational agency has, among other things, adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on specified protected characteristics.

This bill would require the department to assess whether the local educational agency has provided certificated schoolsite employees who serve pupils in any of grades 7 to 12, inclusive, information on existing schoolsite and community resources related to the support of pupils who may face bias or bullying on the basis of those characteristics. The bill would require the department to also assess whether the local educational agency has prominently and conspicuously displayed the policy at each schoolsite

and local educational agency office and on the local educational agency's internet website, as provided.

(2) Existing law prohibits the governing board of a school district, a county board of education, or the governing body of a charter school from refusing to approve or prohibiting the use of any textbook, instructional material, or other curriculum or any book or other resource in a school library on the basis that it includes a study of the role and contributions of culturally and racially diverse groups.

This bill would prohibit the governing board of a school district, a county board of education, or the governing body of a charter school from adopting or approving the use of any textbook, instructional material, supplemental instructional material, or curriculum if its use would subject a pupil to unlawful discrimination, as specified. The bill would authorize any person to file a complaint of an alleged violation with the local educational agency using the uniform complaint process or directly with the Superintendent of Public Instruction, as provided. If the Superintendent determines that a local educational agency has violated that prohibition and has not taken corrective action within 60 days, the bill would authorize the department to use any means authorized to effect compliance. The bill would require the assessment of a specified financial penalty on a local educational agency found by the Superintendent to have violated the prohibition, as provided.

(3) Existing law requires a county board of education, on or before July 1 of each fiscal year, to adopt an annual budget for the budget year and file the budget with the Superintendent, the county board of supervisors, and the county auditor. Existing law requires the Superintendent to examine the budget and, on or before September 15, approve or disapprove the budget, as specified, and in the event of a disapproval, transmit to the county office of education in writing the Superintendent's recommendations regarding revision of the budget and the reasons for those recommendations. Existing law requires the Superintendent to disapprove a budget if either the Superintendent has not approved a local control and accountability plan (LCAP) or an annual update to the LCAP filed by a county board of education, or if the Superintendent determines that the budget does not include the expenditures necessary to implement the LCAP or annual update to the LCAP. Under existing law, in the event of the disapproval of the budget of a county office of education, the county superintendent of schools and the county board of education are required, on or before October 8, to review and respond to the Superintendent's recommendations, as provided. Existing law requires the Superintendent to examine the revised budget to determine if it complies with the standards and criteria adopted by the State Board of Education for application to final local educational agency budgets and, on or before November 8, approve or disapprove the revised budget.

This bill would revise and recast these provisions by, among other things, additionally authorizing the Superintendent to conditionally approve the budget, and in the case of a conditional approval, requiring the Superintendent, county superintendent of schools, and county board of education to comply with the above-described processes related to budget

revision recommendations, as provided. To the extent the bill imposes new duties on county offices of education, the bill would impose a state-mandated local program. The bill would additionally require the Superintendent to examine the revised budget to determine if it allows the county office of education to meet its financial obligations during the fiscal year, satisfies all conditions established by the Superintendent in the case of a conditionally approved budget, and is consistent with a financial plan that will enable the county office of education to satisfy its multiyear financial commitments, and, not later than November 8, approve or disapprove the revised budget.

(4) Existing law appropriates \$2,836,660,000 in the 2021–22 fiscal year from the General Fund to the Superintendent to administer the California Community Schools Partnership Program and requires those funds to be available for encumbrance or expenditure until June 30, 2031.

This bill would extend the time those funds are available for encumbrance or expenditure by one year, thereby making an appropriation.

Existing law requires \$2,694,827,000 of those funds to be allocated to establish new, and expand existing, community schools, as provided. Existing law requires up to 70% of that allocation to be available for implementation grants, as provided. Existing law requires at least 20% of that allocation to be available for extending implementation grants from 5 years to 7 years and requires those funds to be allocated beginning with the 2025–26 fiscal year, through the 2030–31 fiscal year, as provided.

This bill, among other things, would delay the allocation for extending implementation grants by one fiscal year. The bill would revise those provisions to instead require up to 72% of the funds to be available for implementation grants and at least 18% to be available for extending implementation grants, as provided. By revising the terms of a required allocation of previously appropriated moneys, the bill would make an appropriation.

Existing law requires the Superintendent to reserve adequate funding received for the program to preserve capacity for qualifying entities receiving planning grants to receive implementation grants, as provided.

This bill would expressly require those planning grantee applicants to also meet the implementation grant eligibility requirements, and beginning July 1, 2024, would require the Superintendent to prioritize awarding implementation grants to planning grantees, as provided.

(5) Existing law requires the Controller to draw warrants on the State Treasury throughout each year in specified amounts for purposes of apportioning funding to school districts, county offices of education, and charter schools.

This bill would require warrants in the amount of \$3,570,108,000 scheduled to be drawn in June of the 2023–24 fiscal year to instead be drawn in July of the same calendar year and warrants in the amount of \$245,604,000 scheduled to be drawn in June of the 2024–25 fiscal year to instead be drawn in July of the same calendar year, except as provided. This bill would extend the deadline to encumber those funds from June 30, 2025, to July 31, 2025, thereby making an appropriation.

(6) Existing law requires the Controller, in consultation with the Department of Finance and the State Department of Education, to develop a plan to review and report on financial and compliance audits, and, with representatives of other entities, to recommend the statements and other information to be included in the audit reports filed with the state by local educational agencies and to propose the content of an audit guide.

Existing law establishes the County Office Fiscal Crisis and Management Assistance Team (FCMAT) to, among other things, review the fiscal and administrative condition of any county office of education, school district, or charter school, as provided.

This bill would require the Controller to also consult with representatives from FCMAT to recommend the statements and other information to be included in the audit reports filed with the state by local educational agencies and to propose the content of an audit guide.

Existing law provides that there is no time limit for the commencement of actions for the recovery of damages suffered as a result of childhood sexual assault, as specified.

This bill would require FCMAT, on or before February 1, 2025, in consultation with appropriate subject matter experts, including, but not limited to, subject matter experts in risk management, public finance, labor, and bond financing, to provide recommendations, as specified, to the appropriate fiscal and policy committees of the Legislature and the Department of Finance on new, existing, or strengthened funding and financing mechanisms to finance judgments or settlements arising from claims of childhood sexual abuse, to be utilized by local agencies, as defined.

(7) Existing law requires FCMAT to, among other things, provide fiscal management assistance at the request of any school district, charter school, or county office of education, and requires each school district, charter school, or county office of education receiving that assistance to pay the onsite personnel costs and travel costs incurred by the unit for that purpose, as specified.

This bill would require each school district, charter school, or county office of education receiving that assistance to instead pay the personnel costs, regardless of whether they are onsite, and the travel costs incurred by the unit for that purpose, as specified.

(8) Existing law requires each school district and county office of education to develop a comprehensive school safety plan for each of its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires that the plan assess the current status of school crime and identify appropriate strategies and programs that will provide or maintain a high level of school safety, as specified.

This bill would additionally require the comprehensive school safety plan of a school district, county office of education, or charter school to include, beginning July 1, 2025, an instructional continuity plan to establish communication with pupils and their families and provide instruction to pupils when in-person instruction is disrupted due to an emergency, as provided. By imposing additional duties on local educational agencies, the

bill would impose a state-mandated local program. The bill would require the Superintendent to develop and post on the department's website instructional continuity plan guidance on or before March 1, 2025.

(9) Existing law creates the Learning Recovery Emergency Fund in the State Treasury for the purpose of receiving appropriations for school districts, county offices of education, charter schools, and community college districts related to the state of emergency declared by the Governor on March 4, 2020, relating to the COVID-19 pandemic. Existing law appropriates \$6,345,405,000 from the General Fund to the State Department of Education for transfer to the Learning Recovery Emergency Fund. Existing law requires the Superintendent to allocate these appropriated funds to school districts, county offices of education, and charter schools, for, among other things, specified actions and pupil and learning supports, and to accelerate progress to close learning gaps through the implementation, expansion, or enhancement of learning supports, as provided. Under existing law, these allocations are known as Learning Recovery Emergency Block Grants. Existing law requires local educational agencies that do not submit a final report on the expenditure of these funds on or before December 15, 2029, to forfeit those apportioned funds.

This bill would, among other things, specify that local educational agencies are required to use Learning Recovery Emergency Funds for evidence-based supports and actions, as provided, and would expressly specify that these funds may be used to provide professional development and coaching on specified curriculum frameworks. The bill would also require a local educational agency that has received or will receive a Learning Recovery Emergency Fund Block Grant to develop a needs assessment regarding the use and expenditure of grant funds for the 2025–26, 2026–27, and 2027–28 school years, as provided. The bill would require the department to provide written technical assistance for schools and local educational agencies related to these needs assessments, as provided. The bill would delete the requirement that local educational agencies that do not submit a final report on the expenditure of apportioned funds forfeit those funds.

(10) Existing law establishes the State Board of Education consisting of 11 members appointed by the Governor with the advice and consent of $\frac{2}{3}$ of the Senate, as provided. Existing law requires the state board to adopt policies and establish rules and regulations to govern the public elementary and secondary schools of the state.

This bill would authorize the Governor to appoint a total of 6 deputies to the executive director of the state board.

(11) For the 1990–91 fiscal year and each fiscal year thereafter, existing law requires that moneys to be applied by the state for the support of school districts, community college districts, and direct elementary and secondary level instructional services provided by the state be distributed in accordance with certain calculations governing the proration of those moneys among the 3 segments of public education. Existing law makes that provision inapplicable to the 1992–93 to 2023–24 fiscal years, inclusive.

This bill would also make that provision inapplicable to the 2024–25 fiscal year.

(12) 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 apply for the support of school districts and community college districts based on one of 3 tests in any given fiscal year.

If the Director of Finance determines pursuant to the certification process for the state’s minimum funding obligation to school districts and community college districts that the state has applied moneys in an amount that exceeds the minimum funding obligation for the fiscal year being certified, existing law requires the excess moneys to be credited to the fiscal year being certified.

This bill would provide that \$5,442,143,000 allocated in the 2022–23 fiscal year for specified apportionments to school districts and charter schools, and \$770,786,000 allocated in the 2022–23 fiscal year for specified apportionments to community college districts, are excess moneys credited to the 2022–23 fiscal year only for the purposes of determining the state’s minimum funding obligation to school districts and community college districts in the 2022–23 and 2023–24 fiscal years. The bill would require 10 proportional shares of those amounts to be recognized annually, from the 2026–27 fiscal year through the 2035–36 fiscal year, for budgetary and financial reporting purposes as allocations made in the 2022–23 fiscal year, but would prohibit those amounts from being credited as allocations made to meet the minimum funding obligation to school districts and community college districts in the fiscal year in which the amount is recognized for budgetary and financial reporting purposes.

The bill, commencing with the 2024–25 fiscal year and in each fiscal year thereafter, would also require the Director of Finance, if California personal and corporate income tax filing deadlines are extended, as provided, to calculate the difference between the total appropriations made to meet the minimum funding obligation in the impacted fiscal year and the minimum funding obligation calculated with actual tax revenue data for that fiscal year. The bill would provide that, if the amount calculated by the Department of Finance is negative, the amount of the difference is not an allocation provided in satisfaction of the minimum funding obligation in the impacted fiscal year or excess moneys credited to the impacted fiscal year. The bill would require 10 proportional shares of those amounts to be recognized annually, for 10 consecutive fiscal years beginning with the 3rd fiscal year after the impacted fiscal year, for budgetary and financial reporting purposes as allocations made in the impacted fiscal year, but would prohibit those amounts from being credited as allocations made to meet the minimum funding obligation to school districts and community college districts in the fiscal year in which the amount is recognized for budgetary and financial reporting purposes.

(13) Existing law requires the Director of Finance to certify the amount of the state’s minimum funding obligation to school districts and community college districts for each fiscal year, as specified. Existing law requires the Director of Finance to calculate the minimum funding obligation for the prior fiscal year and publish those calculations by May 14 following the end of the prior fiscal year. Existing law requires interested parties to submit any comments on those calculations by June 6.

This bill would extend those deadlines for the certification of the minimum funding obligation for the 2022–23 fiscal year, as provided.

(14) Existing law appropriates \$547,513,000 from the General Fund to the Superintendent of Public Instruction for purposes of the A–G Completion Improvement Grant Program to provide additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate high school meeting the A–G subject matter requirements for admission to the University of California and the California State University. For the 2021–22 fiscal year, existing law requires the Superintendent to allocate \$300,000,000 as A–G Access Grants, and \$100,000,000 as A–G Success Grants, to school districts, county offices of education, and charter schools meeting certain requirements to be used for activities that directly support pupil access to, and successful completion of, the A–G course requirements, as prescribed. For the 2021–22 fiscal year, existing law requires the Superintendent to allocate \$147,513,000 as A–G Learning Loss Mitigation Grants to be used to allow pupils who receive a grade of “D,” “F,” or “Fail” in an A–G approved course in the spring semester of 2020 or the 2020–21 school year to retake those A–G courses or to offer credit recovery opportunities to all pupils to ensure pupils are able to graduate high school on time, as prescribed.

This bill would, for each of those specific grants, require each local educational agency receiving a grant to report its final expenditure to the department on or before September 30, 2026, and would require the department to initiate collection of any unexpended funds. The bill would require any local educational agency that does not submit the final expenditure report to forfeit all funds allocated to it pursuant to the applicable grant.

(15) Existing law, commencing with the 2023–24 fiscal year, appropriates \$300,000,000 each fiscal year from the General Fund to the Superintendent for allocation for the Local Control Funding Formula Equity Multiplier apportionment, as provided. Existing law requires the funding to be allocated to eligible local educational agencies on a per-unit basis of a schoolsite’s total prior year adjusted cumulative enrollment, as specified, and provides that an eligible schoolsite shall not receive funding of less than \$50,000.

This bill would, among other things, annually adjust that \$50,000 minimum funding requirement by a specified cost-of-living adjustment, as specified. The bill would require an eligible schoolsite to instead be deemed ineligible if the schoolsite has been closed in the year in which the funds are to be allocated or, commencing with the 2024–25 fiscal year, the local educational agency generated funding for a schoolsite for these purposes

due to a pupil being enrolled in the school district office. The bill would require unspent funds from any fiscal year provided to a local educational agency with a schoolsite that has closed to be returned to the department, and would require local educational agencies to report the total amount of unspent funds in accordance with instructions and forms prescribed and furnished by the Superintendent.

(16) Existing law establishes the Public School System Stabilization Account to provide a reserve for public school funding. Existing law requires, pursuant to specified calculations, the Controller to transfer certain moneys from the General Fund into the Public School System Stabilization Account for subsequent allocation to school districts and community college districts, as specified. Existing law authorizes the Legislature, upon the Governor's proclamation declaring a budget emergency to enact a statute that, among other things, appropriates funds in the Public School System Stabilization Account for the support of school districts and community college districts.

This bill would appropriate specified amounts from the Public School System Stabilization Account for transfer by the Controller to Section A of the State School Fund for the support of school districts, as provided.

(17) Existing law appropriates \$6,557,443,000 from the General Fund to the Superintendent for the 2020–21 fiscal year, of which \$4,557,443,000 is apportioned to school districts, county offices of education, charter schools, and state special schools, as prescribed, and makes those funds available for expenditure until September 30, 2024, for certain activities, including offering supplemental instruction and support. Existing law requires local educational agencies receiving apportionments pursuant to these provisions to report final expenditures of those apportioned funds to the department by December 1, 2024, and authorizes a forfeiture of all funds if a local educational agency does not submit the required report. Existing law makes these provisions inoperative on June 30, 2025.

This bill would require local educational agencies, as a condition of receiving those funds, to instead report final expenditures to the department over a span of multiple reports with respective due dates, as provided. The bill would authorize certain funds from the reporting period to be withheld if any of the reports are not submitted to the department and authorizes the Superintendent to withhold any forfeited amounts from the local educational agency's principal apportionment, as provided. The bill would extend the operation of these provisions by one year to June 30, 2026.

(18) Existing law authorizes the Commission on Teacher Credentialing, in order to expedite the application process for the benefit of applicants for credentials, certificates, permits, or other documents, to receive from, or transmit to, the agency that submitted the application, either electronically or by printed copy, the information set forth in that application. For purposes of these provisions, existing law defines "agency" to mean a school district, county office of education, or institution of higher education having a commission-approved program of professional preparation.

This bill would add charter schools and nonpublic schools or agencies to the definition of "agency" for purposes of those provisions.

(19) Existing law establishes the Test Development and Administration Account in the Teacher Credentials Fund, and, until June 30, 2023, requires all fees collected by the commission for tests, examinations, or assessments to be deposited in the account. Existing law, commencing July 1, 2023, requires all fees collected by the commission for tests, examinations, or assessments to be deposited in the Teacher Credentials Fund.

This bill would abolish the Test Development and Administration Account on July 1, 2024, and would require all unencumbered moneys and authority in the fund to be transferred to the Teacher Credentials Fund.

(20) Existing law requires the commission, among other duties, to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law prohibits the commission from issuing initially a credential, permit, certificate, or renewal of an emergency credential to a person to serve in the public schools unless the person has demonstrated proficiency in basic reading, writing, and mathematics skills in the English language by passing the state basic skills proficiency test, except for specified persons who are exempt from the basic skills proficiency test requirement. Existing law prohibits the governing board of a school district from initially hiring on a permanent, temporary, or substitute basis a certificated person seeking employment in the capacity designated in the certificated person's credential unless that person has demonstrated basic skills proficiency or is exempt from the basic skills requirement, as provided.

This bill would, among other things, additionally exempt from the above-described basic skills proficiency test requirements a person who has obtained a baccalaureate degree or higher degree from a regionally accredited institution of higher education, and provide that an individual who possesses a baccalaureate degree or higher degree from a regionally accredited institution of higher education is required to be considered proficient in the skill of reading, writing, and mathematics, as provided.

Existing law requires, as a condition of certain teaching credentials, the demonstration of skills proficiency in basic reading, writing, and mathematics skills in the English language. Under existing law, the minimum requirements for the preliminary multiple subject, single subject, or education specialist credential, the 3-year preliminary designated subjects adult education teaching credential, and the preliminary services credential with a specialization in administrative services for an out-of-state trained administrator all include the demonstration of basic skills proficiency, as provided.

This bill would delete the requirement to demonstrate basic skills proficiency as a condition of the above-described credentials, as provided.

(21) Under existing law, one requirement for the preliminary multiple subject, single subject, or education specialist teaching credential is the verification of subject matter competence, demonstrated by any of a range of methods, including completion of a subject matter program, passage of a subject matter examination, or completion of coursework that addresses each of the domains of the subject matter requirements adopted by the commission in the content area of the credential, as provided. Existing law

requires the commission to ensure that subject matter standards and examinations are aligned with the academic content and performance standards for pupils adopted by the state board.

This bill would additionally require the commission to maintain the subject matter domains that include both broad content areas to support coursework review, as provided, and specific content elements to delineate subject matter examination specifications, as provided.

Existing law requires the commission to waive the subject matter examination requirement for graduates of a regionally accredited institution of higher education under specified circumstances, and authorizes the commission to require that the approved examination be taken by candidates, who are otherwise eligible for an examination waiver, for informational purposes only.

This bill would delete the authorization for the commission to require that the approved examination be taken for informational purposes, as described above, and would require the commission to encourage through its accreditation system that programs of professional preparation provide candidates equitable access to all of the options for meeting subject matter competence, as provided.

(22) Existing law requires the commission to administer a State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring. Existing law requires the commission to annually use data it receives from the department to produce an initial data file of vacant positions and assignments that do not have a clear match of credential to assignment. Existing law requires a monitoring authority to review and determine any potential misassignments, as defined, reported in and identified through the system for local educational agencies within its authority, as provided. Existing law defines a “monitoring authority” for these purposes to include, among others, the chartering authority for a charter school.

This bill would revise the definition of monitoring authority, in cases where a charter school operates under the authority of a school district in which the charter school is the sole schoolsite in the school district, to be the commission instead of the chartering authority for the charter school.

(23) Existing law requires an internship program to provide interns who meet entrance criteria and are accepted to a multiple subject teaching credential program, a single subject teaching credential program, or an education specialist credential program that provides instruction to individuals with mild to moderate disabilities the opportunity to choose an early program completion option, culminating in a 5-year preliminary teaching credential. Existing law requires that this early program completion option be made available to interns who meet specified requirements, including that the intern pass specified assessments. Existing law provides that an intern who passes those assessments and is recommended by the internship program to the commission is eligible for a 5-year preliminary teaching credential that authorizes instruction to individuals with mild to moderate disabilities, and requires the commission to issue the teaching

credential to an applicant who holds the preliminary 5-year teaching credential and meets other specified requirements.

This bill would also authorize an intern who is accepted into a PK-3 early childhood education specialist credential program that provides instruction to individuals with mild to moderate disabilities to choose the above-described early program completion option, culminating in a 5-year preliminary teaching credential, and would apply the above-described provisions to those applicants.

(24) Existing law authorizes the governing board of a school district to terminate the services of any permanent or probationary certificated employees of the school district, including employees holding a position that requires an administrative or supervisory credential, during the time period between 5 days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies if the governing board of the school district determines that its total revenue limit per unit of average daily attendance for the fiscal year of that Budget Act has not increased by at least 2%, and if the governing board of the school district determines it is therefore necessary to decrease the number of permanent employees in the school district.

This bill would make that provision inoperative from July 1, 2024, to July 1, 2025, inclusive.

(25) Existing law requires any entity that has a contract with a school district, county office of education, or charter school to ensure that any employee who interacts with pupils, outside of the immediate supervision and control of the pupil's parent or guardian or a school employee, has a valid criminal records summary, as provided. Existing law exempts an employee of any entity that has a contract with a local educational agency, and that offers work experience opportunities for pupils or workplace placements as part of a pupil's individualized education program, from the requirement to have a valid criminal records summary if certain requirements are met, including that a staff representative of the local educational agency, among other things, makes at least one visitation every 3 weeks to consult with the pupil's liaison.

This bill would, for purposes of the latter-described requirement for a staff representative of the local educational agency to make at least one visitation every 3 weeks to consult with the pupil's liaison in order to be exempt from having a valid criminal records summary, instead require that those visitations be made as specified in a pupil's individualized education program, or, if unspecified, at least once every 3 weeks.

(26) Under existing law, a pupil's total days of attendance in the schools and classes maintained by a school district or county superintendent of schools during the fiscal year is the number of days that school was actually taught for not less than the minimum required number of minutes minus the sum of the pupil's absences.

This bill, beginning July 1, 2025, would authorize a local educational agency to implement attendance recovery programs for pupils to make up lost instructional time and offset absences, as specified. The bill would

authorize a local educational agency to operate an attendance recovery program before or after school, on weekends, or during intersessional periods. The bill would prohibit a pupil from being credited with more than the lesser of the equivalent of 10 days of attendance in a school year, or the number of absences the pupil accrued in that school year, for participation in an attendance recovery program. The bill would require an attendance recovery program, as a condition of generating average daily attendance for a local educational agency, to be composed of pupils engaged in educational activities that align to grade level standards and that are substantially equivalent to the pupils' regular instructional program, and under the immediate supervision and control of a certificated employee who possesses a valid certification document. The bill would require the department, when determining the chronic absenteeism rate of a school district or county office of education, to reduce a pupil's absences by participation in an attendance recovery program.

(27) Existing law establishes the Expanded Learning Opportunities Program. Existing law requires local educational agencies, as a condition of receipt of specified funds, to offer to all pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Existing law requires the Superintendent of Public Instruction to allocate funding appropriated for purposes of the Expanded Learning Opportunities Program in a specified manner, and requires those funds to be used to support pupil access to expanded learning opportunity programs.

This bill would, among other things, authorize those funds also be used to support attendance recovery when attendance recovery is operated by a local educational agency in conjunction with, and on the same schoolsite as, its expanded learning opportunities program, and would require those funds, commencing with the 2023–24 fiscal year, to be expended by June 30 of the fiscal year following the fiscal year in which the appropriation is made and would require any funds that are not expended by a local educational agency by the end of that period to be returned to the state, as provided. For the 2024–25 fiscal year, the bill would require those returned funds to be added to other specified remaining funds and expended, as specified. The bill would, commencing with the 2025–26 fiscal year and annually thereafter, require local educational agencies to annually declare their operational intent to the department to run an expanded learning opportunity program, as provided.

(28) Existing law includes, for purposes of computing the average daily attendance of a school district, the attendance of pupils in kindergarten or transitional kindergarten after they have completed one school year in that program only if one of specified conditions is met.

This bill would apply that provision to charter schools.

(29) If the average daily attendance of a local educational agency has been materially decreased during a fiscal year because of an emergency and that fact has been established to the satisfaction of the Superintendent by an affidavit submitted by the local educational agency, existing law requires

the Superintendent to credit to the local educational agency the total average daily attendance that would have been credited to it had the emergency not occurred. Existing law requires a local educational agency that submits an affidavit for an emergency occurring after September 1, 2021, to certify that it has a plan to, among other things, offer independent study to pupils within 10 days, as specified.

This bill would instead require a local educational agency that submits an affidavit for an emergency occurring after September 1, 2021, but on or before June 30, 2025, to certify that it has a plan to offer instruction to pupils within 10 instructional days. The bill would require a local educational agency that submits an affidavit for an emergency occurring on or after July 1, 2025, that results in a school closure or material decrease in attendance to certify that it has a comprehensive school safety plan, including an instructional continuity plan, in place and that it either offered pupil engagement and instruction consistent with the instructional continuity plan or that it did not do so due to extenuating circumstances, as provided.

(30) Existing law authorizes a school district or charter school to place 4-year-old children, as defined, enrolled in a California state preschool program into a transitional kindergarten program classroom and requires a school district or charter school that commingles children from both programs in the same classroom to meet specified requirements, including, among others, that an early childhood environment rating scale be completed for the classroom.

This bill would delete the provision regarding the early childhood environment rating scale and instead would require that an observation using the Classroom Assessment Scoring System (CLASS) tool and CLASS Environmental tool be completed for the classroom.

(31) Existing law authorizes any person 16 years of age or older and certain other persons to have their proficiency in basic skills taught in public high schools verified according to criteria established by the department. Existing law requires the state board to award a certificate of proficiency, equivalent to a high school diploma, to persons who demonstrate that proficiency. Existing law authorizes the department to charge a fee for each examination application in an amount sufficient to recover the costs of administration, as provided, and requires these levies and fees collected by the department to be deposited in the State Treasury for remittance to the current support appropriation of the department as reimbursement for the costs of administration. Existing law requires any reimbursement collected in excess of the actual costs of administration to be transferred to the unappropriated surplus of the General Fund by order of the Director of Finance.

This bill instead would authorize a Special Deposit Fund Account in the State Treasury, composed of those fees that may be prescribed by the department for examination applications. The bill would require these fees to be appropriated, without regard to fiscal years, to support the department in administering the examinations, as provided.

(32) Existing law authorizes the governing board of a school district to authorize a pupil who meets specified criteria to attend community college. Existing law requires a pupil to receive credit for community college courses that the pupil completes at the level determined appropriate by the governing boards of the school district and community college district.

This bill would require the governing board of a community college district to report courses completed and grades received by pupils at the community college pursuant to these provisions through eTranscript California for purposes of enabling the uniform integration of completed courses and grades received into the pupil's universal and electronic high school transcript that is housed on the CaliforniaColleges.edu platform. By imposing new duties on community college districts, the bill would impose a state-mandated local program.

(33) Existing federal law, the McKinney-Vento Homeless Assistance Act, provides grants to states to carry out activities relating to the education of homeless children and youths, as defined, including, among others, providing services and activities to improve the identification of homeless children and youths and to enable them to enroll in, attend, and succeed in school.

Existing law authorizes \$1,500,000 to be allocated to up to 3 county offices of education in different regions throughout the state for purposes of establishing technical assistance centers to foster relationships with community partners and other local educational agencies in each region, as provided. Existing law requires the department to determine which county offices of education to allocate those funds to through a competitive process, as provided. Existing law requires the technical assistance centers to be operative only for the duration of a specified federal grant period.

This bill instead would require, pursuant to specified funding appropriated in the Budget Act of 2024, up to \$2,500,000 to be allocated to up to 3 county offices of education to sustain and enhance the above-described technical assistance centers, and would require those technical assistance centers to prioritize providing regional support, resources, and expertise to homeless education liaisons to ensure that local educational agencies meet all requirements under the federal McKinney-Vento Homeless Assistance Act, as provided. The bill instead would require the technical assistance centers to be operative only for the duration of the availability of those certain federal grant funds.

(34) Existing law requires, commencing with the 2024–25 school year, recess, as defined, that is provided by a public school to be at least 30 minutes on regular instructional days and at least 15 minutes on early release days, as provided. Existing law defines public school for these purposes to mean a school that is operated by a school district or county office of education, or that is a charter school.

This bill would limit the applicability of the above-described provisions to recess that is instead provided by schools that are operated by a school district or county office of education, or charter schools, that maintain kindergarten or any of grades 1 to 6, inclusive, as provided. The bill would

specify that for schools that also maintain a grade higher than grade 6, these provisions apply only to recess provided to those pupils in kindergarten or any of grades 1 to 6, inclusive. The bill would also specify that these provisions do not apply to pupils in grade 6 of a school that (A) maintains grade 6 as part of a middle school or that solely maintain some or all of grades 6 to 12, inclusive, and (B) provides those pupils with physical education, as provided.

(35) Existing law establishes the California School Information Services to, among other things, build the capacity of local educational agencies to implement and maintain comparable, effective, and efficient pupil information systems, as specified.

This bill would require the California School Information Services, in consultation with the department, to create and maintain a list of school information system vendors serving school districts, county offices of education, and charter schools educating pupils in kindergarten or any of grades 1 to 12, inclusive, as specified. The bill would require the list to include a state designation established by the California School Information Services for school information system vendors meeting certain requirements regarding the management of pupil data, as provided. The bill would require the California School Information Services to post the list on its internet website.

(36) Existing law requires the department to develop model referral protocols for addressing pupil mental health concerns, contingent upon funds being appropriated or allocated for that purpose, within 2 years of the date those funds are received or allocated, as provided.

This bill would, among other changes, delete the contingency language described above and instead require the department to develop model referral protocols for pupil behavioral health concerns on or before June 1, 2025. The bill would also make conforming changes.

The bill would require a governing board or body of a local educational agency that serves pupils in grades 7 to 12, inclusive, before January 31, 2026, to adopt a policy on referral protocols for addressing pupil behavioral health concerns in grades 7 to 12, inclusive, as provided. The bill would require a local educational agency to certify to the department, on or before July 1, 2029, that 100% of its certificated employees and 40% of its classified employees, who have direct contact with pupils in any of grades 7 to 12, have received youth behavioral health training, as defined, at least one time, as provided. By creating new duties for local educational agencies, the bill would impose a state-mandated local program.

(37) Existing law requires each school district, county superintendent of schools, and charter school to make available a nutritionally adequate breakfast, as defined, and a nutritionally adequate lunch, as defined, free of charge during each schoolday, as defined, to any pupil who requests a meal, without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, as provided. Existing law requires the State Department of Education to provide state meal reimbursement to school districts, county offices of education, and charter schools that participate

in, and meet the requirements of, the federal School Breakfast Program and National School Lunch Program, and any applicable state laws or regulations, for reduced-price and paid meals served to pupils, as provided.

This bill would require a school district, county office of education, and charter school to, as a condition on the receipt of the above-described state meal reimbursement, conduct direct certification matching through the California Longitudinal Pupil Achievement Data System on a monthly basis.

(38) Existing law requires a school district or county superintendent of schools that has a high-poverty school, as defined, in its jurisdiction to, on or before June 30, 2022, apply to operate a federal universal meal service provision pursuant to specified federal law.

This bill would limit the applicability of the above-described requirement to high-poverty schools that also have an identified student percentage of 40% or more.

(39) Existing law requires a local educational agency to exempt an individual with exceptional needs who satisfies specified eligibility requirements, including that the pupil entered grade 9 in the 2022–23 school year or later, from all courses and other requirements adopted by the governing board or body of the local educational agency that are additional to the statewide course requirements and to award the pupil a diploma of graduation from high school, as provided.

Until July 1, 2031, this bill would authorize a local educational agency to additionally exempt an individual with exceptional needs who was enrolled in grade 10 or higher in the 2022–23 school year, and who satisfies specified eligibility criteria, from all courses and other requirements adopted by the governing board or body of the local educational agency that are additional to the statewide course requirements and to award the pupil a diploma of graduation from high school, as provided.

(40) Existing law requires the governing body of a school district, county office of education, or charter school to confirm that a grade 12 pupil who has not opted out, as specified, completes and submits a Free Application for Federal Student Aid (FAFSA) or, if the pupil is exempt from paying nonresident tuition under existing law, completes and submits a form for purposes of the California Dream Act, as provided. Existing law requires the governing board or body of a school district, county office of education, or charter school to ensure that the school district, county office of education, or charter school directs each high school pupil and, if applicable, the pupil's parent or legal guardian to any support and assistance services necessary, to complete and submit a FAFSA or California Dream Act application, that may be available through outreach programs, as provided.

This bill would require, among other things relating to ensuring that pupils complete and submit a FAFSA or California Dream Act application, commencing with participation of a local educational agency in the universal basic pupil accounts on the CaliforniaColleges.edu platform, and in furtherance of each pupil successfully completing and submitting a FAFSA or California Dream Act application, the governing boards of school districts and the governing bodies of charter schools to (A) ensure that each pupil

in grade 11 is advised to complete the grade 11 financial aid lessons on the CaliforniaColleges.edu platform, as specified, and (B) that a representative of the school district or the charter school, as applicable, has a district administrator account registered on the CaliforniaColleges.edu platform for purposes of this representative serving as the district administrator to support grade 11 pupils in completing the grade 11 financial aid lessons. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(41) Existing law requires a school district offering any of grades 9 to 12, inclusive, to provide the parent or guardian of each minor pupil enrolled in any of those grades in the school district with written notification containing certain information, including information relating to A–G subject matter requirements and career technical education.

This bill would require this written notification to also include (A) direction to the CaliforniaColleges.edu platform to access resources that help pupils and their families learn about college admission requirements and (B) a separate and distinct disclosure, provided as part of the school district’s annual parent notifications, as required by federal law, that data may be shared with the California College Guidance Initiative (CCGI) to provide pupils and their families with direct access to online tools and resources for college and career planning. By imposing new duties on school districts, the bill would impose a state-mandated local program.

(42) Existing law requires a local educational agency to maintain a current written agreement for each pupil enrolled in an independent study program or course. Existing law requires the agreement to be signed before the commencement of independent study if the pupil’s program or course is projected to last for 15 schooldays or more, and within 10 schooldays of the commencement of independent study if the pupil’s program or course is projected to last for fewer than 15 schooldays.

This bill would instead require the written agreement maintained by a local educational agency to be signed before the commencement of independent study if the pupil’s program or course is projected to last for 16 schooldays or more, and during the school year in which the independent study takes place if the pupil’s program or course is projected to last for 15 schooldays or fewer.

(43) Existing law requires the State Board of Education to, on or before January 31, 2025, adopt an IDEA Addendum relating to improvements in services for individuals with exceptional needs, as specified. Existing law requires certain school districts, charter schools, and county offices of education identified by the department, as provided, to complete the IDEA Addendum and to undertake certain activities related to the addendum on or before July 1, 2025.

This bill would extend by 2 years the date for the state board to adopt an IDEA Addendum to instead be January 31, 2027, and the date for the above-described school districts, charter schools, and county offices of education to undertake certain activities related to the addendum to instead be on or before July 1, 2027.

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

Existing law, on or before July 1, 2015, and each year thereafter, requires the governing body of a charter school to hold a public hearing to adopt a local control and accountability plan (LCAP) using a template adopted by the state board. Existing law requires the governing body of a charter school to update the goals and annual actions to achieve those goals identified in the charter petition, as provided, using the template for the LCAP and annual update to the LCAP adopted by the state board, as provided. Existing law requires a charter school to present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing body of the charter school, as provided.

This bill would require a charter school to present the above-described report as part of a nonconsent item at a regularly scheduled meeting of the governing body of the charter school.

Existing law requires, before a governing board of a school district or a county board of education considers the adoption of an LCAP or an annual update to the plan, certain things to occur, including that the superintendent of the school district or the county superintendent of schools present a report on the annual update to the LCAP and the local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of the governing board of the school district or the county board of education, as specified.

This bill would require the superintendent of a school district or the county superintendent of schools to present the above-described report as part of a nonconsent item at a regularly scheduled meeting of the governing board of the school district or the county board of education.

By requiring local educational agencies and officials to present this report as part of a nonconsent item, the bill would impose a state-mandated local program.

(45) Existing law requires the state board to, on or before March 31, 2014, adopt a template for a local control and accountability plan (LCAP) and an annual update to the LCAP for use by school districts, county boards of education, and charter schools. Existing law requires the state board to include instructions for school districts, county offices of education, and charter schools to complete the LCAP and annual update to the LCAP.

This bill would require, on or before January 31, 2025, the above-described instructions developed by the state board to specify that all Learning Recovery Emergency Funds received by the local educational agency and bound by the above-described requirements related to local needs assessments are required to be included in the LCAP, or the annual update to the LCAP, for the period of July 1, 2025, to June 30, 2028, inclusive, as provided. By creating new requirements involving the template

used by local educational agencies, the bill would impose a state-mandated local program.

(46) Existing law requires the state board to adopt specified evaluation rubrics, including, among other things, state and local indicators to measure school district and individual schoolsite performance in regard to specified state priorities. Existing law, no later than January 31, 2020, requires those local indicators to ensure, at a minimum, that the governing board of a school district, the county board of education, and the governing body of a charter school review any data to be publicly reported for local indicators in conjunction with the adoption of the LCAP, as provided.

If the governing board of a school district, the county board of education, or the governing body of a charter school is unable to review any data to be publicly reported due to a specified emergency, this bill would require the local indicator data to be reviewed at the next meeting of the governing board or body and would require a resolution to be adopted and submitted to the department, as provided.

(47) Existing law requires the California Collaborative for Educational Excellence and the department to establish a process, subject to approval by the executive director of the state board, to select county offices of education to serve as geographic lead agencies for a term not to exceed 5 years to conduct specified activities. At the conclusion of the term for each selected geographic lead agency, existing law authorizes the department and the collaborative to renew the selection of the existing geographic lead agency or reopen the selection of a geographic lead agency, as provided.

This bill would require the executive director of the state board to approve the renewal or reopening, among other changes.

Existing law requires the state board, as part of the evaluation rubrics, to adopt performance criteria for local educational agency assistance and intervention. If a charter school meets the performance criteria, as specified, existing law requires the county superintendent of schools in which the charter school is located to provide technical assistance, as provided. Existing law requires the geographic lead agency, or its designee, to serve in the role of the county superintendent of schools for a charter school authorized by the county board of education.

This bill would require the geographic lead agency to choose a designee to provide technical assistance for any charter school for whom the geographic lead agency's county board of education is the chartering authority. The bill would require the geographic lead agency to contract with the designee using specified funds. To the extent the bill imposes additional duties on county offices of education, the bill would impose a state-mandated local program.

(48) Existing law establishes the Community Engagement Initiative and requires the California Collaborative for Educational Excellence and a selected lead agency to convene professional learning networks for purposes of improving local pupil outcomes and community engagement, as specified. Existing law also establishes the Community Engagement Initiative Expansion and, for the 2022–23 fiscal year, appropriates \$100,000,000 from

the General Fund to the Superintendent of Public Instruction for allocation to the collaborative to expand and strengthen the Community Engagement Initiative, as provided. Existing law requires the department and the collaborative, with approval from the executive director of the state board, to select an expert community engagement lead agency to coadminister the expansion with the collaborative, as provided.

This bill would require the collaborative and the selected expert community engagement lead agency to incorporate learning recovery work, as specified, into the training and resources provided to local educational agencies. To the extent that the bill would impose additional duties on the expert community engagement lead agency, the bill would impose a state-mandated local program.

(49) Existing law requires a county superintendent of schools to prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing laws relating to local control and accountability plans and the statewide system of support. Existing law requires the summary to include, among other things, a description of how the county superintendent of schools will assist each school district identified for technical assistance.

This bill would also require the summary to include how the county superintendent of schools will assist charter schools identified for technical assistance, as provided, and would make related conforming changes. By expanding a duty of a county superintendent of schools, the bill would impose a state-mandated local program.

(50) Existing law requires the state board, on or before January 31, 2024, to appoint an independent panel of experts for the purpose of creating an approved list of evidence-based, culturally, linguistically, and developmentally appropriate screening instruments for pupils in kindergarten and grades 1 and 2 to assess pupils for risk of reading difficulties, including possible neurological disorders such as dyslexia, as specified. Existing law requires the governing board or body of a school district, county office of education, or charter school serving pupils in kindergarten or grades 1 or 2 to adopt, on or before June 30, 2025, one or more screening instruments from the approved list to assess pupils for risk of reading difficulties, as specified, and commencing no later than the 2025–26 school year, requires those local educational agencies to assess each pupil in kindergarten and grades 1 and 2 for risk of reading difficulties using the screening instrument or instruments adopted by the governing board or body of the local educational agency, as specified.

For purposes of the above-described requirement that local educational agencies assess each pupil in kindergarten and grades 1 and 2 for risk of reading difficulties, this bill would require that the employees administering the screening instrument or instruments be appropriately trained to administer that instrument or instruments. To the extent this training requirement imposes additional duties on local educational agencies, the bill would impose a state-mandated local program.

This bill would appropriate \$25,000,000 from the General Fund to the Superintendent for allocation, as specified, to local educational agencies that administer literacy screenings pursuant to the above-described provisions, as provided, and would require a local educational agency to expend those funds for training for educators to administer pupil screenings in kindergarten and grades 1 and 2, but excluding transitional kindergarten, in order to assess for risk of reading difficulties using those approved screening instruments.

(51) Existing law provides that an essential component of transition services for individuals with exceptional needs is the project workability program that provides instruction and experiences that reinforce core curriculum concepts and skills leading to gainful employment. Existing law requires the Superintendent of Public Instruction to develop criteria for awarding grants, funding, and evaluating workability projects and requires project workability project applications to include, but not be limited to, specified elements. Existing law defines eligible applicants for project workability to include local educational agencies, including school districts, county offices of education, state special schools, and charter schools, and nonpublic, nonsectarian schools, as defined.

This bill would remove nonpublic, nonsectarian schools from the list of eligible applicants for project workability funding.

(52) Existing law requires a school district to be assessed a specified financial penalty if the Superintendent determines that the school district has not provided sufficient textbooks or instructional materials to pupils, as specified.

This bill would make that financial penalty a reduction to the school district's principal apportionment for the applicable fiscal year, as provided.

(53) Existing law requires the state board to adopt instructional materials for kindergarten and grades 1 to 8, inclusive, and to adopt procedures for the submission of instructional materials.

This bill would make the adoption of the procedures for the submission of instructional materials contingent upon an appropriation for that purpose. The bill would authorize the department to conduct a followup adoption, as defined, of instructional materials for language arts and mathematics. The bill would require the department to assess a fee on publishers and manufacturers choosing to participate in the followup adoption and would prohibit the fee from exceeding the reasonable costs to the department to conduct the followup adoption process, as specified. The bill would repeal provisions relating to followup adoptions on January 1, 2032.

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

educational agencies, in order to accomplish the specified goals and to comply with the requirement to retain individual pupil records for each test taker, to submit data according to the processes and timelines established by the department, as specified.

This bill would require local educational agencies, among other things, to, in order to accomplish those specified goals and to comply with the requirement to retain individual pupil records for each test taker, also (A) inform the department of any schoolsite closure within 10 business days of the last day that pupils were no longer enrolled at the schoolsite and (B) submit grades 9 to 12, inclusive, pupil data to the CCGI according to processes and timelines established by the CCGI in the format approved by the Superintendent, as provided. The bill would require local educational agencies to, on or before June 30, 2026, using reports on CaliforniaColleges.edu and technical assistance from the California College Guidance Initiative, ensure that data needed to verify course eligibility to fulfill the A–G admissions requirements of the University of California and the California State University is accurate and up to date. By imposing new duties on local educational agencies, the bill would impose a state-mandated local program.

(55) Existing law requires the department to enter into a memorandum of understanding with the CCGI to accomplish specified goals, including sharing course level data from each local educational agency to validate, as they are submitted to CalPADS, if the course meets the requirements of A–G coursework, as specified. Existing law requires the department to notify local educational agencies of the additional use of CalPADS data and advise local educational agencies to include in their annual parent notifications, as required by federal law, information about the sharing and use of CalPADS data, as provided.

This bill would revise and recast those provisions by, among other things, removing the sharing of course level data from local educational agencies as submitted to CalPADS from the department’s memorandum of understanding with the CCGI and requiring the department to instead inform local educational agencies of the use of data submitted to the CCGI and advise local educational agencies to include in their annual parent notifications, as required by federal law, information about the sharing and use of that data, as specified.

Existing law requires the Riverside County Office of Education to report to the Director of Finance and the Joint Legislative Budget Committee regarding the annual budget for the CCGI as supported through the annual Budget Act, as specified.

This bill would require that annual report to additionally be made in collaboration with the department. By imposing additional duties on the Riverside County Office of Education, the bill would impose a state-mandated local program.

(56) Existing law requires, on or before January 1, 2025, the Student Aid Commission to require that any grade point average data required for

eligibility for student financial aid programs be submitted by local educational agencies through CalPADS for transmittal to the CCGI.

This bill instead would require, upon implementation of transcript-informed accounts for pupils in grades 9 to 12, inclusive, on the CaliforniaColleges.edu platform, the commission to require that any grade point average data required for eligibility for student financial aid programs be submitted by local educational agencies through the CCGI.

(57) Existing law states the intent of the Legislature that public higher education in California strive to provide educationally equitable environments that give each Californian, regardless of age, economic circumstance, or certain specified characteristics, including mental disability, a reasonable opportunity to develop fully their potential.

This bill would establish the California Center for Inclusive College (the center) and would annually appropriate, commencing with the 2024–25 fiscal year, \$2,000,000 each fiscal year from the General Fund to the Superintendent to, in consultation with the executive director of the state board, allocate to a county office of education selected to administer the center, working in partnership with specified entities. The bill would require the responsibilities of the center to include, among other things, assisting inclusive college programs, as defined, in aligning with the federal requirements, standards, and quality indicators pursuant to specified federal law and assisting public postsecondary educational institutions and inclusive college programs with the identification of potential funding sources to establish, sustain, or expand upon inclusive college programs, including student financial assistance opportunities. The bill, for the 2024–25 fiscal year, would require up to \$500,000 to be available for the center to convene an advisory workgroup consisting of representatives from at least 2, but not more than 5, existing inclusive college programs throughout the state to consult with the center, as specified. To the extent that this bill would create new duties for a county office of education, the bill would impose a state-mandated local program.

(58) Existing law establishes the Golden State Teacher Grant Program under the administration of the Student Aid Commission to, among other things, award grants of up to \$20,000 to students enrolled in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential who commit to work at a priority school or a California preschool program for 4 years within 8 years of program completion and meet certain other conditions, including, among others, satisfying a certain state basic skills requirement, as provided.

This bill would, among other things, for applications received on July 1, 2024, to June 30, 2025, revise the terms of the Golden State Teacher Grant Program by lowering the award limit to \$10,000, instead requiring a student to commit to working for 2 years within 4 years of program completion, and replacing the state basic skills requirement with a requirement to complete a baccalaureate degree program, as specified. The bill would require the Student Aid Commission, commencing July 1, 2024, to prioritize

awards for eligible applicants with the lowest income at the time of application, and to establish up to 3 application period each year, as provided.

(59) Whenever a student transfers from one community college or public or private institution of postsecondary education to another within the state, existing law requires appropriate records or a copy of appropriate records to be transferred by the former community college or college or university upon a request from the student.

This bill would require community colleges enrolling high school pupils through dual or concurrent enrollment, as specified, to use eTranscript California to enable the uniform integration of the pupil's completed courses and grades received into the pupil's universal and electronic high school transcript that is housed on the CaliforniaColleges.edu platform. By imposing new duties on community college districts, the bill would impose a state-mandated local program.

(60) Existing law appropriates \$7,500,000 from the General Fund to the Controller for allocation to the State Department of Education for the Broadband Infrastructure Grant Program to improve broadband connectivity at California local educational agencies and improve digital learning opportunities for pupils. Existing law requires the department to contract with the Corporation for Education Network Initiatives in California to identify external broadband connectivity solutions that provide fiber broadband connectivity to the most poorly connected schoolsites to allow digital learning opportunities for pupils. Existing law requires any federal E-rate subsidies and California Teleconnect Fund subsidies received by the Corporation for Education Network Initiatives in California as a result of broadband connectivity solutions pursuant to the program to be used for additional broadband connectivity solutions.

This bill, notwithstanding that latter provision, would require, commencing July 1, 2024, any federal E-rate subsidies and California Teleconnect Fund subsidies received by the Corporation for Education Network Initiatives in California as a result of broadband connectivity solutions pursuant to the program to instead first be made available for annual administrative costs for the department and the Corporation for Education Network Initiatives in California, as specified, before being allocated for additional fiber broadband connectivity solutions for the most poorly connected schoolsites for purposes of allowing digital learning opportunities for pupils.

(61) Existing law appropriates \$20,000,000 from the General Fund to the department to further support the Educator Workforce Investment Grant Program to coordinate and support professional learning opportunities for educators across the state, as specified, and requires those funds to be available through the 2024–25 fiscal year to provide one or more grants, as provided. Existing law requires the department and the California Collaborative for Educational Excellence, by September 1 each year, to report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the process for awarding grants, the name of each grant recipient, the amount awarded to each grant

recipient, the activities provided with grant funds, and, if available, the number of schools served and the number of educators served.

This bill would require those funds to instead be available through the 2025–26 fiscal year. By extending the time for which previously appropriated moneys are available, the bill would make an appropriation. The bill also would revise the above-described reporting requirements to instead require an initial report by September 1, 2023, an interim report by June 1, 2025, and a final report by June 1, 2027, and would revise the categories of information to be reported, as specified.

(62) Existing law appropriates \$3,360,885,000 from the General Fund to the State Department of Education to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools, in accordance with a formula based on a per-pupil basis, as provided. Existing law authorizes funds to be used to obtain standards-aligned professional development and acquire instructional materials in specified subject areas, to develop diverse book collections and obtain culturally relevant texts, and for operational costs, as provided. Existing law requires those funds to be available for encumbrance through the 2025–26 fiscal year.

This bill would require those funds to instead be available for expenditure through June 30, 2026. The bill would require each local educational agency receiving those funds, by September 30, 2026, or, for a charter school that closes before June 30, 2026, within 60 days of ceasing operations, to report final expenditures to the department, would require the department to initiate collection of any unexpended funds, and would require any local educational agency that does not submit the final expenditure report to forfeit all of those funds.

(63) This bill would require the department, on or before November 1, 2025, to develop a pupil benefit form in an alternative electronic format that meets the requirements and purposes of the local control funding formula and the eligibility requirements for federal school meals programs, as provided.

(64) This bill would require the Superintendent to update the State Department of Education’s Science Safety Handbook, as specified, and would require the department, by August 1, 2026, to make the updated handbook publicly available on its internet website.

(65) The Budget Acts of 2021, 2023, and 2024 appropriated various amounts to either the Superintendent or the Marin County Office of Education for activities relating to Holocaust and genocide education, as specified.

This bill would require the Marin County Office of Education, on or before January 1, 2025, and annually thereafter to January 1, 2030, inclusive, to report specified information relating to Holocaust and genocide education to the Joint Legislative Budget Committee and the Department of Finance, as specified. To the extent the bill would impose additional duties on the

Marin County Office of Education, the bill would impose a state-mandated local program.

(66) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified.

Existing law authorizes the Department of Parks and Recreation, until July 1, 2024, to establish a “California State Park Adventure Pass” to be available, upon application to the department, to any child in the 4th grade, or 4th grade equivalent, who is a California resident. Existing law authorizes the department, until July 1, 2024, to waive the day use entrance fees to an eligible unit of the state park system, as determined by the department, for any child who holds a valid “California State Park Adventure Pass” and specified persons accompanying that child, as provided.

This bill would, commencing with the 2024–25 fiscal year, require the Superintendent to add \$2,100,000 to the Sacramento County Office of Education’s local control funding formula allocation in order to contract with the Department of Parks and Recreation for purposes of providing pupils enrolled in grade 4 in California public schools access to California state parks pursuant to the provisions establishing the “California State Park Adventure Pass,” as specified. The bill would authorize up to 5% of those funds to be used to support the Sacramento County Office of Education’s indirect costs.

(67) This bill would appropriate \$4,000,000 from the General Fund to the Superintendent to select a county office of education to research models of hybrid and remote learning at public schools across the state and provide guidance, support, and resources to local educational agencies, as specified. The bill would require the selected county office of education to submit a report on its findings and recommendations to specified entities on or before June 30, 2027.

(68) This bill would appropriate \$7,000,000 from the General Fund to the Superintendent for allocation to the Los Angeles County Office of Education to contract, with the approval of the executive director of the state board, with one or more nonprofit organizations with specified expertise to do certain things, including, among others, to develop a statewide repository of high-quality curriculum-embedded performance tasks across all grade levels, mapped to the Next Generation Science standards for use by local educational agencies and educators to support inquiry-based instruction and assessment, and to research existing high-quality curriculum-embedded performance tasks aligned to the Next Generation Science standards and identify tasks that can be used for the California repository.

(69) This bill would appropriate \$20,000,000 from the General Fund to the Superintendent for allocation, subject to the approval of the executive director of the state board, to one or more county offices of education, or consortia of county offices of education, to partner with the California Mathematics Project and other specified entities to develop and deliver

educator training, including the training of mathematics coaches, and provide resources to educators on delivering high-quality mathematics instruction to pupils throughout the state pursuant to the curriculum framework for mathematics adopted by the state board, as specified.

(70) This bill would, on or before June 30, 2025, appropriate an amount to be determined by the Director of Finance from the General Fund to the Superintendent in augmentation of a certain item in the Budget Act of 2024. The bill would make these funds available only to the extent that revenues distributed to local educational agencies for special education programs from successor agencies are less than the estimated amount determined by the Director of Finance. The bill would require, on or before June 30, 2025, the Director of Finance to determine if the revenues distributed to local educational agencies for special education programs from successor agencies exceed the estimated amount reflected in the Budget Act of 2024 and, if so, would require the Director of Finance to reduce the specified appropriation in the Budget Act of 2024 by the amount of that excess.

(71) This bill would appropriate \$1,260,000 from the General Fund to the State Allocation Board to be available for allocation to the William S. Hart Union School District to support the reconstruction and rehabilitation of William S. Hart Union High School infrastructure.

This bill would make legislative findings and declarations as to the necessity of a special statute for the William S. Hart Union School District.

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

(73) 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.

(74) 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.

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

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 234.1 of the Education Code is amended to read:
234.1. The department, pursuant to subdivision (b) of Section 64001, shall monitor adherence to the requirements of Chapter 5.3 (commencing with Section 4900) of Division 1 of Title 5 of the California Code of Regulations and this chapter as part of its regular monitoring and review of local educational agencies, commonly known as the Categorical Program

Monitoring process. The department shall assess whether local educational agencies have done all of the following:

(a) Adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on the actual or perceived characteristics set forth in Section 422.55 of the Penal Code, including immigration status, and Section 220 of this code, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. The policy shall include a statement that the policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the local educational agency, and all acts of the governing board or body of the local educational agency, the superintendent of the school district, and the county superintendent of schools in enacting policies and procedures that govern the local educational agency.

(b) Adopted a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the actual or perceived characteristics set forth in Section 422.55 of the Penal Code, including immigration status, and Section 220 of this code, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. The complaint process shall include, but not be limited to, all of the following:

(1) A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so.

(2) A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the school district.

(3) An appeal process afforded to the complainant in the case of a disagreement with the resolution of a complaint filed pursuant to this section.

(4) All forms developed pursuant to this process shall be translated pursuant to Section 48985.

(c) Publicized antidiscrimination, antiharassment, anti-intimidation, and antibullying policies adopted pursuant to subdivision (a), including information about the manner in which to file a complaint, to pupils, parents, employees, agents of the governing board, and the general public. The information shall be translated pursuant to Section 48985.

(d) (1) Provided, incident to the publicizing described in subdivision (c), to certificated schoolsite employees who serve pupils in any of grades 7 to 12, inclusive, who are employed by the local educational agency, information on existing schoolsite and community resources related to the support of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) pupils, or related to the support of pupils who may face bias or bullying on the basis of any of the actual or perceived characteristics set forth in Section 422.55 of the Penal Code, including immigration status, and Section 220 of this code, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with

a person or group with one or more of these actual or perceived characteristics.

(2) As used in this subdivision, both of the following apply:

(A) Schoolsite resources may include, but are not limited to, peer support or affinity clubs and organizations, safe spaces for LGBTQ or other at-promise pupils, counseling services, staff who have received antibias or other training aimed at supporting these pupils or who serve as designated support to these pupils, health and other curriculum materials that are inclusive of, and relevant to, these pupils, online training developed pursuant to Section 32283.5, and other policies adopted pursuant to this article, including related complaint procedures.

(B) Community resources may include, but are not limited to, community-based organizations that provide support to LGBTQ or other at-promise pupils and their families, and physical and mental health providers with experience or training in treating or supporting these pupils.

(e) Prominently and conspicuously displayed the policy established pursuant to subdivision (a) in areas that are accessible to, and commonly frequented by, schoolsite employees, pupils, and members of the public at each schoolsite and local educational agency office, including, but not limited to, in school office lobbies, staff lounges, pupil government meeting rooms, and on the local educational agency's internet website.

(f) Maintained documentation of complaints and their resolution for a minimum of one review cycle.

(g) Ensured that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation, or bullying remains confidential, as appropriate.

(h) Identified a responsible local educational agency officer for ensuring school district or county office of education compliance with the requirements of Chapter 5.3 (commencing with Section 4900) of Division 1 of Title 5 of the California Code of Regulations and this chapter.

(i) Nothing in this section shall be construed to require school employees to engage with religious institutions in the course of identifying community support resources pursuant to this section.

SEC. 2. Section 244 is added to the Education Code, immediately following Section 243, to read:

244. (a) The governing board of a school district, a county board of education, or the governing body of a charter school shall not adopt or approve the use of any textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use of the textbook, instructional material, supplemental instructional material, or curriculum would subject a pupil to unlawful discrimination pursuant to Section 220.

(b) Notwithstanding any other law, a complaint pursuant to this section may be filed with the applicable school district, county office of education, or charter school under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations, or may be filed with the Superintendent

directly. A complaint filed pursuant to this subdivision shall identify the basis for filing the complaint directly with the Superintendent. The complainant shall present the Superintendent with evidence that supports the basis for the direct filing and why immediate action is necessary. In responding to such a complaint, the Superintendent may directly intervene without waiting for an investigation by the school district, county office of education, or charter school.

(c) A complaint may be filed by any member of the public, including anyone electing to file anonymously, if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with subdivision (a).

(d) Information regarding the requirements of this section shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations or any successor regulation.

SEC. 3. Section 1622 of the Education Code is amended to read:

1622. (a) On or before July 1 of each fiscal year, the county board of education shall adopt an annual budget for the budget year and shall file the budget with the Superintendent, the county board of supervisors, and the county auditor. The budget, and supporting data, shall be maintained and made available for public review. The budget shall indicate the date, time, and location at which the county board of education held the public hearing required under Section 1620. For the 2014–15 fiscal year and each fiscal year thereafter, the county board of education shall not adopt a budget before the county board of education adopts a local control and accountability plan or approves an update to an existing local control and accountability plan if an existing local control and accountability plan or update to a local control and accountability plan is not effective during the budget year. The county board of education shall not adopt a budget that does not include the expenditures identified in the local control and accountability plan and any annual update to the local control and accountability plan that will be effective for the budget year. Notwithstanding any other provision of this article, for the 2014–15 fiscal year and each fiscal year thereafter, the budget shall not be adopted or approved by the Superintendent before a local control and accountability plan or update to an existing local control and accountability plan for the budget year is approved.

(b) (1) The Superintendent shall examine the budget to determine if it (A) complies with the standards and criteria adopted by the state board pursuant to Section 33127 for application to final local educational agency budgets, (B) allows the county office of education to meet its financial obligations during the fiscal year, and (C) is consistent with a financial plan that will enable the county office of education to satisfy its multiyear financial commitments. In addition, the Superintendent shall identify any technical corrections to the budget that must be made. On or before September 15, the Superintendent shall approve, conditionally approve, or disapprove the budget and, in the event of a conditional approval or disapproval, transmit to the county office of education in writing the

Superintendent's recommendations regarding revision of the budget and the reasons for those recommendations.

(2) For the 2014–15 fiscal year to the 2023–24 fiscal year, inclusive, the Superintendent shall disapprove a budget, and for the 2024–25 fiscal year, and for each fiscal year thereafter, the Superintendent shall conditionally approve or disapprove a budget, if either of the following occur:

(A) The Superintendent has not approved a local control and accountability plan or an annual update to the local control and accountability plan filed by a county board of education pursuant to Section 52070.5 that is effective for the budget year.

(B) The Superintendent determines that the budget does not include the expenditures necessary to implement the local control and accountability plan or an annual update to the local control and accountability plan that is effective for that budget year.

(c) In the event of the conditional approval or disapproval of the budget of a county office of education pursuant to subdivision (b), on or before October 8, the county superintendent of schools and the county board of education shall review the recommendations of the Superintendent at a regularly scheduled meeting of the county board of education and respond to those recommendations. That response shall include any revisions to the adopted budget and other proposed actions to be taken, if any, as a result of those recommendations.

(d) (1) The Superintendent shall examine the revised budget as provided in subdivision (c) to determine if it (A) complies with the standards and criteria adopted by the state board pursuant to Section 33127 for application to final local educational agency budgets, (B) allows the county office of education to meet its financial obligations during the fiscal year, (C) satisfies all conditions established by the Superintendent in the case of a conditionally approved budget, and (D) is consistent with a financial plan that will enable the county office of education to satisfy its multiyear financial commitments. The Superintendent, not later than November 8, shall approve or disapprove the revised budget. For the 2014–15 fiscal year and each fiscal year thereafter, the Superintendent shall disapprove a revised budget if the Superintendent determines that the revised budget does not include the expenditures necessary to implement the local control and accountability plan or an annual update to the local control and accountability plan approved by the Superintendent pursuant to Section 52070.5 that is effective for the budget year. If the Superintendent disapproves the budget, the Superintendent shall call for the formation of a budget review committee pursuant to Section 1623.

(2) Notwithstanding any other law, for the 2014–15 fiscal year and each fiscal year thereafter, if the Superintendent disapproves the budget for the sole reason that the Superintendent has not approved a local control and accountability plan or an annual update to the local control and accountability plan filed by the county board of education pursuant to Section 52070.5, the Superintendent shall not call for the formation of a budget review committee pursuant to Section 1623.

(e) Not later than 45 days after the Governor signs the annual Budget Act, the county office of education shall make available for public review any revisions in revenues and expenditures that it has made to its budget to reflect the funding made available by that Budget Act.

SEC. 4. Section 8902 of the Education Code is amended to read:

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

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

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

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

(b) For the 2021–22 fiscal year, the sum of two billion eight hundred thirty-six million six hundred sixty thousand dollars (\$2,836,660,000) is hereby appropriated from the General Fund to the Superintendent to administer the California Community Schools Partnership Program, established by Section 117 of Chapter 24 of the Statutes of 2020, as amended by Section 63 of Chapter 110 of the Statutes of 2020, in the manner and for the purposes set forth in this section. These funds shall be used in accordance with the California Community Schools Framework, as adopted by the state board. These funds shall not be used for punitive disciplinary practices or the engagement of campus law enforcement. These funds shall be available for encumbrance or expenditure until June 30, 2032. The funds shall be distributed as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) Direct costs.

(B) Indirect costs.

(C) Costs to other agencies.

(D) Cost savings.

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

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

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

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

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

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

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

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

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

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

(A) Staffing costs for a community school coordinator.

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

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

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

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

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

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

(h) (1) Of the amount identified in paragraph (1) of subdivision (b), including all other funds appropriated for this program in the Budget Act of 2021, up to 72 percent shall be available for implementation grants to qualified entities. Implementation grants shall be at least one hundred thousand dollars (\$100,000) and up to five hundred thousand dollars (\$500,000) annually per schoolsite for new community schools or for the expansion or continuation of existing community schools that agree to align with the provisions of this chapter. New and existing community schools shall be funded for five years, upon submission to the department of a community school plan and evidence of ongoing progress as part of the annual formative evaluations specified in subdivision (n). The implementation grant may be used for any of the following purposes:

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

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

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

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

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

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

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

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

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

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

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

and networking, and coordinate services and funding streams for community schools under the local educational agency grantee. Funds retained by the local educational agency grantee to provide direct services to pupils may be retained separately from this administrative set-aside.

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

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

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

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

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

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

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

(k) (1) Of the amount identified in paragraph (1) of subdivision (b), at least 18 percent shall be available for the option to extend implementation grants from five years to seven years for ongoing coordination costs to local educational agency implementation grantees of up to one hundred thousand dollars (\$100,000) annually per site of an existing community school, and shall be allocated, beginning with the 2027–28 fiscal year, through the 2031–32 fiscal year.

(2) (A) The funding under paragraph (1) shall support the ongoing implementation of the community school initiative's sustainability plan

pursuant to paragraph (8) of subdivision (f) at each schoolsite receiving funding pursuant to subdivision (h). The department may request evidence that the local educational agency grantees have spent implementation grant funding in alignment with their implementation plans and are tracking short-term results of their efforts before awarding implementation grant extensions.

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

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

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

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

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

(3) Creating community partnerships.

(4) Developing sustainable funding sources.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

taxes appropriated pursuant to Article XIIIB,” as defined in subdivision (e) of Section 41202, for the 2022–23 fiscal year.

SEC. 5. Section 14041.6 of the Education Code is amended to read:

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

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

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

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

(e) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2012–13 fiscal year, warrants for the principal apportionments for the month of February in the amount of five hundred thirty-one million seven hundred twenty thousand dollars (\$531,720,000), for the month of April in the amount of five hundred ninety-four million seven hundred

forty-eight thousand dollars (\$594,748,000), for the month of May in the amount of one billion nine hundred seventy-six million seven hundred one thousand dollars (\$1,976,701,000), and for the month of June in the amount of five hundred million dollars (\$500,000,000) instead shall be drawn in July of the same calendar year, and warrants for the month of March in the amount of one billion twenty-nine million four hundred ninety-three thousand dollars (\$1,029,493,000) and for the month of April in the amount of seven hundred sixty-three million seven hundred ninety-four thousand dollars (\$763,794,000) instead shall be drawn in August pursuant to the certification made pursuant to Section 41339.

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

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

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

(i) (1) (A) Except as provided in Section 14041.65 and notwithstanding subdivision (a) of Section 14041, or any other law, for the 2020–21 fiscal year, warrants for the principal apportionments for the month of February in the amount of one billion five hundred forty million three hundred three thousand dollars (\$1,540,303,000) shall instead be drawn in November of the same calendar year pursuant to the certification made pursuant to Section 41332.

(B) Except as provided in Section 14041.65 and notwithstanding subdivision (a) of Section 14041, or any other law, for the 2020–21 fiscal year, warrants for the principal apportionments for the month of March in the amount of two billion three hundred seventy-five million three hundred

eight thousand dollars (\$2,375,308,000) shall instead be drawn in October of the same calendar year pursuant to the certification made pursuant to Section 41332.

(C) Except as provided in Section 14041.65 and notwithstanding subdivision (a) of Section 14041, or any other law, for the 2020–21 fiscal year, warrants for the principal apportionments for the month of April in the amount of two billion three hundred seventy-five million three hundred eight thousand dollars (\$2,375,308,000) shall instead be drawn in September of the same calendar year pursuant to the certification made pursuant to Section 41332.

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

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

(j) (1) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2023–24 fiscal year, warrants for the principal apportionments for the month of June in the amount of three billion five hundred seventy million one hundred eight thousand dollars (\$3,570,108,000) shall instead be drawn in July of the same calendar year pursuant to Section 41332.

(2) Notwithstanding subdivision (a) of Section 14041, or any other law, for the 2024–25 fiscal year, warrants for the principal apportionments for the month of June in the amount of two hundred forty-five million six hundred four thousand dollars (\$245,604,000) shall instead be drawn in July of the same calendar year pursuant to Section 41332.

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

(l) Notwithstanding subdivision (k), for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one billion five hundred ninety million four hundred forty-nine

thousand dollars (\$1,590,449,000) of the warrants drawn in August of 2013 pursuant to subdivision (e) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2012–13 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2012–13 fiscal year.

(m) Notwithstanding subdivision (k) of this section and subdivision (e) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one billion two hundred ninety-four million seven hundred twenty thousand dollars (\$1,294,720,000) of the warrants drawn in July 2014 pursuant to subdivisions (f) and (g) of this section and subdivision (e) of Section 14041.5 shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2012–13 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2012–13 fiscal year.

(n) Notwithstanding subdivision (k) of this section and subdivision (e) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, two billion seven hundred eighty million five hundred twenty-six thousand dollars (\$2,780,526,000) of the warrants drawn in July 2014 pursuant to subdivisions (f) and (g) of this section and subdivision (e) of Section 14041.5 shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2013–14 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2013–14 fiscal year.

(o) (1) Notwithstanding subdivision (k) of this section and subdivision (f) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, eight billion forty-one million five hundred thirty-five thousand dollars (\$8,041,535,000) of the warrants drawn in the 2021–22 fiscal year pursuant to subdivision (i) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

(2) Notwithstanding subdivision (k) of this section and subdivision (f) of Section 14041.5, for purposes of making the computations required by Section 8 of Article XVI of the California Constitution, six hundred twenty-four million six hundred ninety-two thousand dollars (\$624,692,000) of the warrants drawn in the 2021–22 fiscal year pursuant to subdivision (i)

shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the fiscal year in which the warrants are drawn, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

(p) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made in paragraph (1) of subdivision (j) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2024–25 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2024–25 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made in paragraph (2) of subdivision (j) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, for the 2025–26 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2025–26 fiscal year.

SEC. 6. Section 14041.8 of the Education Code is amended to read:

14041.8. (a) (1) For the 2020–21 fiscal year only, up to one hundred million dollars (\$100,000,000) of the amount of the warrants for the principal apportionments for the month of February, that are instead to be drawn in November, pursuant to Section 14041.6, may be drawn in February, subject to the approval of the Director of Finance, for a charter school or school district as follows:

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

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

necessary for the school district to meet its financial obligations for February and any subsequent month until the deferral is repaid, as applicable.

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

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

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

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

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

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

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

(b) (1) For the 2020–21 fiscal year only, up to one hundred million dollars (\$100,000,000) of the amount of the warrants for the principal apportionments for the month of March, that are instead to be drawn in October, pursuant to Section 14041.6, may be drawn in March, subject to

the approval of the Director of Finance, for a charter school or school district as follows:

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

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

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

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

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

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

(2) If the total amount requested by charter schools and school districts pursuant to paragraph (1) exceeds one hundred million dollars (\$100,000,000), the Controller, the Treasurer, and the Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars (\$300,000,000). On or before February 1, the Controller, the Treasurer, and the Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars (\$100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the

Controller, the Treasurer, and the Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

financial obligations for May and any subsequent month until the deferral is repaid, as applicable.

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

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

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

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

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

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

(3) If the total amount of cash made available pursuant to paragraph (2) is less than the amount requested pursuant to paragraph (1), payments to charter schools and school districts shall be prioritized according to the date

on which the certification described in paragraph (1) was provided to the Superintendent and the Director of Finance.

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

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

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

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

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

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

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

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

(2) If the total amount requested by charter schools and school districts pursuant to paragraph (1) exceeds one hundred million dollars (\$100,000,000), the Controller, the Treasurer, and the Director of Finance

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

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

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

(f) (1) For the 2024–25 fiscal year only, up to one hundred million dollars (\$100,000,000) of the amount of the warrants for the principal apportionments for the month of June, that are instead to be drawn in July pursuant to Section 14041.6, may be drawn in June, subject to the approval of the Director of Finance, for a charter school or school district as follows:

(A) In order for a charter school to receive a payment in June pursuant to this subdivision, the chartering authority, in consultation with the county superintendent of schools, shall certify to the Superintendent and the Director of Finance on or before April 1, 2025, that the deferral of warrants pursuant to Section 14041.6 will result in the charter school being unable to meet its financial obligations for June or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the charter school to meet its financial obligations for June and any subsequent month until the deferral is repaid, as applicable.

(B) In order for a school district to receive a payment in June pursuant to this subdivision, the county superintendent of schools shall certify to the Superintendent and to the Director of Finance on or before April 1, 2025, that the deferral of warrants pursuant to Section 14041.6 will result in the school district being unable to meet its financial obligations for June or any subsequent month until the deferral is repaid, and shall provide the Superintendent an estimate of the amount of additional funds necessary for the school district to meet its financial obligations for June and any subsequent month until the deferral is repaid, as applicable.

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

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

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

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

(2) If the total amount requested by charter schools and school districts pursuant to paragraph (1) exceeds one hundred million dollars (\$100,000,000), the Controller, Treasurer, and Director of Finance may authorize additional payments to meet these requests, but total payments to charter schools and school districts pursuant to this subdivision shall not exceed three hundred million dollars (\$300,000,000). On or before May 1, 2025, the Controller, Treasurer, and Director of Finance shall determine whether sufficient cash is available to make payments in excess of one hundred million dollars (\$100,000,000). In making the determination that cash is sufficient to make additional payments, in whole or in part, the Controller, Treasurer, and Director of Finance shall consider costs for state government, the amount of any identified cash shortage, timing, achievability, legislative direction, and the impact and hardship imposed on potentially affected programs, entities, and related public services. The Department of Finance shall notify the Joint Legislative Budget Committee within 10 days of this determination and identify the total amount of requests that will be paid.

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

(4) Payments pursuant to this subdivision shall be made by the Controller on or before June 30, 2025.

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

appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the fiscal year in which the warrants are drawn.

SEC. 7. Section 14502.1 of the Education Code is amended to read:

14502.1. (a) The Controller, in consultation with the Department of Finance and the department, shall develop a plan to review and report on financial and compliance audits. The plan shall commence with the 2003–04 fiscal year for audits of school districts, other local educational agencies, and the offices of county superintendents of schools. The Controller, in consultation with the Department of Finance, the department, and representatives of the California School Boards Association, the California Association of School Business Officials, the California County Superintendents Educational Services Association, the California Teachers Association, the California Society of Certified Public Accountants, and the County Office Fiscal Crisis and Management Assistance Team, shall recommend the statements and other information to be included in the audit reports filed with the state, and shall propose the content of an audit guide to carry out the purposes of this chapter. A supplement to the audit guide may be suggested in the audit year, following the above process, to address issues resulting from new legislation in that year that changes the conditions of apportionment. The proposed content of the audit guide and any supplement to the audit guide shall be submitted by the Controller to the Education Audit Appeals Panel for review and possible amendment.

(b) The audit guide and any supplement shall be adopted by the Education Audit Appeals Panel pursuant to the rulemaking procedures of the Administrative Procedure Act, as set forth in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. It is the intent of the Legislature that, for the 2003–04 fiscal year, the audit guide be adopted by July 1 of the fiscal year to be audited. A supplemental audit guide may be adopted to address legislative changes to the conditions of apportionment. It is the intent of the Legislature that supplements be adopted before March 1 of the audit year. Commencing with the 2004–05 fiscal year, and each fiscal year thereafter, the audit guide shall be adopted by July 1 of the fiscal year to be audited. A supplemental audit guide may be adopted to address legislative changes to the conditions of apportionment. The supplements shall be adopted before March 1 of the audit year. To meet these goals and to ensure the accuracy of the audit guide, the process for adopting emergency regulations set forth in Section 11346.1 of the Government Code may be followed to adopt the audit guide and supplemental audit guide. It is the intent of the Legislature that once the audit guide has been adopted for a fiscal year, as well as any supplement for that year, thereafter only suggested changes to the audit guide and any additional supplements need be adopted pursuant to the rulemaking procedures of the Administrative Procedure Act. The audit guide and any supplement shall be issued in booklet form and may be made available by any means deemed appropriate. The Controller and consultants in the development of the suggested audit guide and any supplement shall work cooperatively on a timeline that will allow the Education Audit Appeals

Panel to meet the July 1 and March 1 issuance dates. Consistent with current practices for development of the audit guide before the 2003–04 fiscal year, the Controller shall provide for the adoption of procedures and timetables for the development of the suggested audit guide, any supplement, and the format for additions, deletions, and revisions.

(c) For the audit of school districts or county offices of education electing to take formal action pursuant to Sections 22714 and 44929, the audit guide content proposed by the Controller shall include, but not be limited to, the following:

(1) The number and type of positions vacated.

(2) The age and service credit of the retirees receiving the additional service credit provided by Sections 22714 and 44929.

(3) A comparison of the salary and benefits of each retiree receiving the additional service credit with the salary and benefits of the replacement employee, if any.

(4) The resulting retirement cost, including interest, if any, and postretirement health care benefits costs, incurred by the employer.

(d) The Controller shall annually prepare a cost analysis, based on the information included in the audit reports for the prior fiscal year, to determine the net savings or costs resulting from formal actions taken by school districts and county offices of education pursuant to Sections 22714 and 44929, and shall report the results of the cost analysis to the Governor and the Legislature by April 1 of each year.

(e) All costs incurred by the Controller to implement subdivision (c) shall be absorbed by the Controller.

(f) On or before January 1, 2015, the Controller, in consultation with the State Allocation Board, the Department of Finance, and the department, shall submit content to the Education Audit Appeals Panel to be included in the audit guide, Standards and Procedures for Audits of California K-12 Local Educational Agencies beginning in the 2015–16 fiscal year, that is related to the financial and performance audits required for school facility projects, as described in Section 15286.

SEC. 8. Section 17375 of the Education Code is amended to read:

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

(2) Moneys appropriated pursuant to this section shall be deposited in the California Preschool, Transitional Kindergarten, and Full-Day

Kindergarten Facilities Account, hereby created in the State Treasury, administered by the State Allocation Board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) For a school district seeking a new construction grant for preschool classrooms from moneys in the California Preschool, Transitional

Kindergarten, and Full-Day Kindergarten Facilities Account, the school district shall demonstrate that its existing classrooms, including outdoor play areas and equipment, are insufficient to meet the needs of providing preschool, and that the school district's projected enrollment in the preschool program exceeds the current preschool program classroom capacity at the applicable schoolsite. A school district shall use both of the following to demonstrate enrollment for purposes of determining eligibility:

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

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

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

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

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

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

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

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

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

(f) (1) A school district may use grant funds awarded for new construction on costs necessary to adequately house preschool, transitional

kindergarten, and kindergarten pupils in an approved project, which shall include only the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) “School district” means as follows:

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

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

SEC. 9. Section 32282 of the Education Code is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) On or before March 1, 2025, the Superintendent shall develop and post on the department’s internet website instructional continuity plan

guidance, including guidance for continued academic and school engagement strategies during disruptions in instruction due to emergencies.

SEC. 10. Section 32526 of the Education Code is amended to read:

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

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

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

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

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

(b) Funds described in subdivision (a) shall be allocated on a per-unit basis of the local educational agency’s 2021–22 fiscal year second period reported kindergarten and grades 1 to 12, inclusive, average daily attendance multiplied by the local educational agency’s 2021–22 unduplicated pupil percentage calculated pursuant to Section 2574 or 42238.02, as applicable. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

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

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

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

to pupils, or decreases or stabilizes staff-to-pupil ratios, based on pupil learning needs.

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

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

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

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

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

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

(vi) Providing professional development and coaching on either or both of the following:

(I) The 2023 Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve.

(II) The English Language Arts/English Language Development Framework for California Public Schools: Kindergarten Through Grade Twelve.

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

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

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

(F) Conducting the needs assessment pursuant to subdivision (d).

(d) (1) A local educational agency that has received or will receive apportioned funds pursuant to this section shall develop a needs assessment regarding the use and expenditure of funds for the 2025–26, 2026–27, and 2027–28 school years.

(2) The local educational agency shall ensure that the needs assessment:

(A) Identifies pupils in the greatest need of learning recovery supports and the interventions that the local educational agency has selected to address those pupils' needs pursuant to paragraph (2) of subdivision (c).

(B) Includes a review of each of the following metrics:

(i) Assessment of academic performance in English language arts and mathematics, including, at least:

(I) Across schoolsites, as applicable, and at the local educational agency level based on the performance of pupil groups identified in the “Very Low” or “Low” status levels on the California School Dashboard.

(II) All pupils within the local educational agency whose scale score places them in the lowest achievement level or on the low end of the second lowest achievement level.

(ii) Assessment of chronic absenteeism, including at least:

(I) Across schoolsites, as applicable, and at the local educational agency level based on the performance of pupil groups identified in the “Very High” or “High” status levels on the California School Dashboard or, for high schools, at comparatively low levels of performance based on reports on the department’s internet website.

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

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

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

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

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

(7) It is the intent of the Legislature that the department provide assistance to local educational agencies by providing information, including data reports, necessary to facilitate and assist the local educational agency’s development of the needs assessment pursuant to this subdivision and integration of the needs assessments conducted pursuant to the Literacy Coaches and Reading Specialists Grant Program established pursuant to Section 137 of Chapter 52 of the Statutes of 2022 and the California Community Schools Partnership Act (Chapter 6 (commencing with Section 8900) of Part 6) in planning pursuant to this section.

(e) (1) Local educational agencies receiving apportionments pursuant to this section shall report to the department, using the template developed by the department, and make publicly available on their internet websites, interim expenditures of those apportioned funds to the department by December 15, 2024.

(2) If a charter school ceases to operate before December 15, 2029, a final expenditure report, using the template developed by the department,

shall be due to the department within 60 days of the effective date of closure and the department shall collect any unspent amounts.

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

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

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

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

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

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

SEC. 11. Section 33043 is added to the Education Code, to read:

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

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

SEC. 12. Section 33128.2 is added to the Education Code, to read:

33128.2. Notwithstanding any other law, a local educational agency may recognize for budgetary and financial reporting purposes any amount of state allocations described in paragraph (1) of subdivision (b) of, or subparagraph (A) of paragraph (4) of subdivision (d) of, Section 41206.04 in the fiscal year in which it was received.

SEC. 13. Section 41202 of the Education Code is amended to read:

41202. The words and phrases set forth in subdivision (b) of Section 8 of Article XVI of the Constitution of the State of California shall have the following meanings:

(a) “Moneys to be applied by the State,” as used in subdivision (b) of Section 8 of Article XVI of the California Constitution, means appropriations from the General Fund that are made for allocation to school districts, as defined, or community college districts. An appropriation that is withheld, impounded, or made without provisions for its allocation to school districts or community college districts shall not be considered to be “moneys to be applied by the State.”

(b) “General Fund revenues which may be appropriated pursuant to Article XIII B,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means General Fund revenues that are the proceeds of taxes as defined by subdivision (c) of Section 8 of Article XIII B of the California Constitution, including, for the 1986–87 fiscal year only, any revenues that are determined to be in excess of the appropriations limit established pursuant to Article XIII B of the California Constitution for the fiscal year in which they are received. General Fund revenues for a fiscal year to which paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution is being applied shall include, in that computation, only General Fund revenues for that fiscal year that are the proceeds of taxes, as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, and shall not include prior fiscal year revenues. Commencing with the 1995–96 fiscal year, and each fiscal year thereafter, “General Fund revenues that are the proceeds of taxes,” as defined in subdivision (c) of Section 8 of Article XIII B of the California Constitution, includes any portion of the proceeds of taxes received from the state sales tax that are transferred to the counties pursuant to, and only if, legislation is enacted during the 1995–96 fiscal year the purpose of which is to realign children’s programs. The amount of the proceeds of taxes shall be computed for any fiscal year in a manner consistent with the manner in which the amount of the proceeds of taxes was computed by the Department of Finance for purposes of the Governor’s Budget for the Budget Act of 1986 (Chapter 186 of the Statutes of 1986).

(c) “General Fund revenues appropriated for school districts,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, regardless of whether those appropriations were made from the General Fund to the Superintendent, to the Controller, or to any other fund or state agency for the purpose of allocation to school districts. The full amount of any

appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI of the California Constitution, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(d) “General Fund revenues appropriated for community college districts,” as used in paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (1) of subdivision (b) of Article XVI of the California Constitution, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(e) “Total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means the sum of appropriations made that are for allocation to school districts, as defined in Section 41302.5, and community college districts, regardless of whether those appropriations were made from the General Fund to the Controller, to the Superintendent, to the Chancellor of the California Community Colleges, or to any other fund or state agency for the purpose of allocation to school districts and community college districts. The full amount of any appropriation shall be included in the calculation of the percentage required by paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, without regard to any unexpended balance of any appropriation. Any reappropriation of funds appropriated in any prior year shall not be included in the sum of appropriations.

(f) “General Fund revenues appropriated for school districts and community college districts, respectively” and “moneys to be applied by the state for the support of school districts and community college districts,” as used in Section 8 of Article XVI of the California Constitution, shall include funds appropriated to local educational agencies, as defined in Section 8208, for part-day California state preschool programs under Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1, funds appropriated to local educational agencies, as defined in Section 8208, to create a full day of care for children participating in the California state preschool program, and funds appropriated for the After School Education and Safety Program established pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1, and shall not include any of the following:

(1) Any appropriation that is not made for allocation to a school district, as defined in Section 41302.5, or to a community college district, regardless

of whether the appropriation is made for any purpose that may be considered to be for the benefit to a school district, as defined in Section 41302.5, or a community college district. This paragraph shall not be construed to exclude any funding appropriated to local educational agencies, as defined in Section 8208, for part-day California state preschool programs under Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1, to local educational agencies, as defined in Section 8208, to create a full day of care for children participating in the California state preschool program, or for the After School Education and Safety Program established pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1.

(2) Any appropriation made to the Teachers' Retirement Fund or to the Public Employees' Retirement Fund except those appropriations for reimbursable state mandates imposed on or before January 1, 1988.

(3) Any appropriation made to service any public debt approved by the voters of this state.

(4) With the exception of the programs identified in paragraph (1), commencing with the 2011–12 fiscal year, any funds appropriated for the Child Care and Development Services Act, pursuant to Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1.

(5) Any amount recognized for budgetary and financial reporting purposes pursuant to the requirements of paragraph (1) of subdivision (c) of, and paragraph (5) of subdivision (d) of, Section 41206.04.

(g) "Allocated local proceeds of taxes," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for school districts as defined, those local revenues, except revenues identified pursuant to paragraph (5) of subdivision (j) of Section 42238.02, that are used to offset state aid for school districts in calculations performed pursuant to Sections 2558 and 42238 and Chapter 7.2 (commencing with Section 56836) of Part 30.

(h) "Allocated local proceeds of taxes," as used in paragraph (2) or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution, means, for community college districts, those local revenues that are used to offset state aid for community college districts. In no event shall the revenues or receipts derived from student fees be considered "allocated local proceeds of taxes."

(i) For purposes of calculating the 4-percent entitlement pursuant to subdivision (a) of Section 8.5 of Article XVI of the California Constitution, "the total amount required pursuant to Section 8(b)" shall mean the General Fund aid required for schools pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution, and shall not include allocated local proceeds of taxes.

(j) This section shall become inoperative on December 15, 2012, and, as of January 1, 2013, is repealed, only if the Schools and Local Public Safety Protection Act of 2012 (Attorney General reference number 12-0009) is not approved by the voters at the November 6, 2012, statewide general election, or if the provisions of that act that modify personal income tax

rates do not become operative due to a conflict with another initiative measure that is approved at the same election and receives a greater number of affirmative votes.

SEC. 14. Section 41203.1 of the Education Code is amended to read:

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

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

(c) Notwithstanding any other law, this section does not apply to the 1992–93 to the 2024–25 fiscal years, inclusive.

SEC. 15. Section 41206.01 of the Education Code is amended to read:

41206.01. (a) For purposes of subdivision (b) of Section 8 of Article XVI of the California Constitution, all determinations of percentages, amounts, revenues, appropriations, allocations, proceeds of taxes, increases in cost of living, or enrollments shall be based upon the best available estimate until actual data becomes available, and then upon actual data when it is available.

(b) Each year, by no later than April 25, the Superintendent shall provide the Director of Finance the latest available school enrollment data, allocated local proceeds of taxes received by school districts, apportionment data calculated and the related funding allocated pursuant to Section 14002, and all other final allocations of funds provided to school districts for the prior fiscal year.

(c) Each year, by no later than April 25, the Chancellor of the California Community Colleges shall provide the Director of Finance final community college enrollment data, allocated local proceeds of taxes received by community college districts, and final allocations of all funds provided to community college districts for the prior fiscal year.

(d) (1) Every year, by no later than May 14 following the end of the prior fiscal year, based on the data provided by the Superintendent and the

Chancellor of the California Community Colleges pursuant to subdivisions (b) and (c), and on the Department of Finance's final projection of General Fund revenues for the prior fiscal year, the Director of Finance shall recalculate the state's minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution for the prior fiscal year. As part of the May Revision to the Governor's Budget required by subdivision (e) of Section 13308 of the Government Code, the Director of Finance shall publish the Department of Finance's calculation and the underlying data supporting the calculation, including the percentage for purposes of paragraph (1) of subdivision (b) of Section 8 of Article XVI of the California Constitution, whether paragraph (1), (2), or (3) of subdivision (b) of Section 8 of Article XVI of the California Constitution is applicable, any amount that shall not be considered allocations to school districts and community colleges for purposes of computing the amount of state aid in the subsequent fiscal year pursuant to subdivision (c) of Section 8 of Article XVI of the California Constitution, the creation or restoration of the maintenance factor, school district and community college enrollment, General Fund revenues, changes in per capita personal income, changes in per capita General Fund revenues, and property taxes to be provided in satisfaction of the state's minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution for the prior fiscal year.

(2) Notwithstanding paragraph (1), the Director of Finance shall publish the required calculations and the underlying data supporting the calculations for the 2022–23 fiscal year no later than June 30, 2024.

(e) (1) The Superintendent, the Chancellor of the California Community Colleges, and interested parties shall submit any comments on the Department of Finance's proposed calculations and published data to the Director of Finance and to the Joint Legislative Budget Committee by no later than June 6 of each year.

(2) Notwithstanding paragraph (1), comments on the Department of Finance's proposed calculations and published data for the 2022–23 fiscal year shall be submitted no later than July 8, 2024.

(f) (1) The Director of Finance shall review any comments directed at the proposed Proposition 98 certification. Comments not directed at the proposed Proposition 98 certification shall be considered irrelevant and shall not be responded to by the Director of Finance. The Director of Finance shall accept or reject any timely relevant comments. If the Director of Finance accepts a comment, the Director of Finance shall include a written explanation of how the proposed Proposition 98 certification addresses or accommodates the comment. If the Director of Finance rejects a comment, the Director of Finance shall include a written explanation of the reason for the rejection of the comment. These comments and the Director of Finance's response to the comments shall be provided to the Legislature, consistent with Section 9795 of the Government Code, and published on the Department of Finance's internet website by no later than June 30 of each year. The Legislature shall consider the comments and responses, may hold

public hearings as necessary, and shall provide any additional written comments to the Director of Finance no later than July 31 of each year. The Director of Finance shall take into consideration any comments provided by the Legislature and issue a final certification of the state's minimum funding obligation to school districts and community college districts required by subdivision (b) of Section 8 of Article XVI of the California Constitution for the fiscal year being certified by no later than August 15 of each year. This information shall be published on the Department of Finance's internet website by the same date. The final certification, including the underlying data and calculations, shall also be published in a separate schedule of the Governor's Budget submitted to the Legislature by no later than January 10 of the following year.

(2) Notwithstanding paragraph (1), the Director of Finance shall post the comments and the Director of Finance's response to the comments regarding the Proposition 98 certification for the 2022–23 fiscal year on the Department of Finance's internet website by no later than July 30, 2024, and shall publish the final certification, including the underlying data and calculations, by no later than August 15, 2024.

(g) Any judicial action to challenge, review, set aside, void, or annul the Director of Finance's final certification of the state's minimum funding obligation pursuant to subdivision (f) shall be filed no later than the 90th day following issuance of the certification. That action shall be given precedence on the court's docket. The filing of that action shall not stay the appropriation or allocation of any sums deemed by the Director of Finance to be due pursuant to Section 41206.03.

SEC. 16. Section 41206.04 is added to the Education Code, to read:

41206.04. (a) (1) The Legislature finds and declares all of the following:

(A) The calculation of the state's minimum funding obligation pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution must be based upon actual tax revenue data when it is available.

(B) Due to winter storms in early 2023, the United States Internal Revenue Service extended the tax filing deadlines for the 2022 tax year to November 16, 2023, for over 99 percent of California taxpayers. The Franchise Tax Board conformed to this action and extended the state income and corporate tax filing deadlines to November 16, 2023. Because of these extensions, the Legislature did not have actual 2022 tax revenue data at the time the Budget Act of 2023 (Chs. 12, 38, and 189, Stats. 2023) was enacted upon which to determine the accurate state minimum funding obligation for the 2022–23 fiscal year.

(C) Due to the lack of actual tax revenue data, the minimum funding obligation for the 2022–23 fiscal year funded in the Budget Act of 2023 was in total six billion one hundred ninety-two million nine hundred twenty-nine thousand dollars (\$6,192,929,000) over the minimum funding obligation computed with actual tax revenue data.

(2) It is the intent of the Legislature to do all of the following:

(A) Provide a methodology in this section to account for the costs identified in subparagraph (C) of paragraph (1).

(B) Reflect the minimum funding obligation to school districts and community colleges pursuant to Section 8 of Article XVI of the California Constitution in the 2023–24 fiscal year.

(C) Provide a methodology to keep future fiscal years open for the purpose of computing the minimum funding obligation in any fiscal year in which a significant proportion of actual tax revenue data is not available before May 1 due to extraordinary personal and corporate tax filing extensions, without reducing school funding already allocated in an impacted fiscal year.

(b) (1) For purposes of Section 41206.03, five billion four hundred forty-two million one hundred forty-three thousand dollars (\$5,442,143,000) allocated in the 2022–23 fiscal year to support school district and charter school local control funding formula apportionments pursuant to Sections 42238.02 and 42238.03 and the associated warrants issued pursuant to Section 14041 shall be considered excess moneys credited to the 2022–23 fiscal year only for the purposes of determining the state’s minimum funding obligation to school districts and community college districts in the 2022–23 and 2023–24 fiscal years pursuant to Section 8 of Article XVI of the California Constitution.

(2) For purposes of Section 41206.03, seven hundred seventy million seven hundred eighty-six thousand dollars (\$770,786,000) allocated in the 2022–23 fiscal year to support community college student centered funding formula apportionments pursuant to Section 84750.4 and the associated warrants issued pursuant to Section 84320 shall be considered excess moneys credited to the 2022–23 fiscal year only for the purposes of determining the state’s minimum funding obligation to school districts and community college districts in the 2022–23 and 2023–24 fiscal years pursuant to Section 8 of Article XVI of the California Constitution.

(c) (1) (A) In the 2026–27 fiscal year, and annually for nine fiscal years thereafter through the 2035–36 fiscal year, five hundred forty-four million two hundred fourteen thousand dollars (\$544,214,000) of the amount described in paragraph (1) of subdivision (b) shall be recognized for budgetary and financial reporting purposes, pursuant to Section 12460 of the Government Code, as an allocation from the General Fund to the Superintendent for local control funding formula entitlements attributable to the 2022–23 fiscal year pursuant to Sections 42238.02 and 42238.03, and the associated warrants issued pursuant to Section 14041, in the 2022–23 fiscal year.

(B) In the 2026–27 fiscal year, and annually for nine fiscal years thereafter through the 2035–36 fiscal year, seventy-seven million seventy-nine thousand dollars (\$77,079,000) of the amount described in paragraph (2) of subdivision (b) shall be recognized for budgetary and financial reporting purposes, pursuant to Section 12460 of the Government Code, as an allocation from the General Fund to the Board of Governors of the California Community Colleges to support student centered funding formula entitlements attributable to the 2022–23 fiscal year pursuant to Section

84750.4, and the associated warrants issued pursuant to Section 84320, in the 2022–23 fiscal year.

(2) Paragraph (1) requires only that the specified portions of the allocations made in the 2022–23 fiscal year be recognized for budgetary and financial reporting purposes in the specified fiscal years, and nothing in paragraph (1) shall be interpreted to make new appropriations of those amounts described in paragraph (1) in the specified fiscal years.

(3) The recognition of the amounts described in paragraph (1) for budgetary and financial reporting purposes shall not be credited as General Fund revenues appropriated to school districts and community colleges to meet the state’s minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution in the fiscal year in which the recognition occurs and shall not be included in the total allocations to school districts and community college districts from General Fund proceeds of taxes pursuant to Article XIII B of the California Constitution in the fiscal year in which the recognition occurs.

(d) (1) Commencing with the 2024–25 fiscal year and each fiscal year thereafter, this subdivision applies to any fiscal year in which California personal and corporate income tax filing deadlines are extended to conform with filing extensions announced by the United States Internal Revenue Service, which result in the delay of personal and corporate tax revenue collection until after May 1 in counties that in total contributed more than 50 percent of the state’s total personal and corporate tax revenue in the fiscal year immediately preceding the fiscal year impacted by the tax filing extension.

(2) For any impacted fiscal year for which this subdivision applies pursuant to paragraph (1), the Director of Finance shall, for purposes of Sections 41206.01 and 41206.03, consider the applicable fiscal year to be open until actual tax revenue data is available but no later than January 10 of the subsequent fiscal year. Upon actual tax revenue data being available or the January 10 deadline having passed, whichever occurs first, the Director of Finance shall subtract the total appropriations made to meet the state’s estimated minimum funding obligation for the support of school districts and community college districts pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution in the impacted fiscal year from the minimum funding obligation for the support of school districts and community college districts pursuant to subdivision (b) of Section 8 of Article XVI of the California Constitution calculated with actual tax revenue data for the impacted fiscal year.

(3) If the difference calculated pursuant to paragraph (2) is negative, meaning the total appropriations made to meet the estimated minimum funding obligation for the support of school districts and community college districts in the impacted fiscal year exceeded the minimum funding obligation to school districts and community college districts calculated with actual tax revenue data for the impacted fiscal year, all of the following apply:

(A) The difference shall not be considered General Fund revenues appropriated to school districts and community colleges to meet the state's minimum funding obligation pursuant to Section 8 of Article XVI of the California Constitution in the impacted fiscal year in which the allocations were made.

(B) The difference shall not be included in the total allocations to school districts and community college districts from General Fund proceeds of taxes pursuant to Article XIII B of the California Constitution made in the impacted fiscal year in which the allocation is made for purposes of calculating the state's minimum funding obligation pursuant to Section 8 of Article XVI of the California Constitution in the subsequent fiscal year.

(C) The difference shall not be considered excess moneys credited to the fiscal year certified pursuant to subdivision (b) of Section 41206.03.

(4) Of the amount calculated pursuant to paragraph (2), the Department of Finance shall determine the respective amounts that are not to be considered General Fund appropriations to school districts and community colleges to meet the state's minimum funding obligation pursuant to Section 8 of Article XVI of the California Constitution and that shall be attributable to (A) local control funding formula entitlements pursuant to Sections 42238.02 and 42238.03 and the associated warrants issued pursuant to Section 14041 for the impacted fiscal year and (B) student centered funding formula entitlements pursuant to Section 84750.4 and the associated warrants issued pursuant to Section 84320 for the impacted fiscal year.

(5) (A) If the amount calculated pursuant to paragraph (2) is negative, in the third fiscal year following the impacted fiscal year, and annually for nine fiscal years immediately thereafter, 10 equal shares of the amounts calculated by the Department of Finance pursuant to paragraph (4) shall be recognized for budgetary and financial reporting purposes, pursuant to Section 12460 of the Government Code, as an allocation from the General Fund to both of the following:

(i) The Superintendent, to support local control funding formula entitlements pursuant to Sections 42238.02 and 42238.03, and the associated warrants issued pursuant to Section 14041, for the applicable fiscal year, in an amount equal to 89.07 percent of the total calculated pursuant to paragraph (2).

(ii) The Board of Governors of the California Community Colleges, to support student centered funding formula entitlements pursuant to Section 84750.4, and the associated warrants issued pursuant to Section 84320, for the applicable fiscal year, in an amount equal to 10.93 percent of the total calculated pursuant to paragraph (2).

(B) Subparagraph (A) requires only that the specified portions of the allocations made in the impacted fiscal year be recognized for budgetary and financial reporting purposes in the specified fiscal years, and nothing in subparagraph (A) shall be interpreted to make new appropriations of the amounts described in subparagraph (A) in the specified fiscal years.

(6) The recognition of the amounts described in paragraph (5) for budgetary and financial reporting purposes shall not be considered General

Fund revenues appropriated to school districts and community colleges to meet the state's minimum funding obligation to school districts and community college districts pursuant to Section 8 of Article XVI of the California Constitution in the fiscal year in which the recognition occurs and shall not be included in the total allocations to school districts and community college districts from General Fund proceeds of taxes pursuant to Article XIII B of the California Constitution in the fiscal year in which the recognition occurs.

SEC. 17. Section 41590 of the Education Code is amended to read:

41590. (a) For the 2021–22 fiscal year, the sum of five hundred forty-seven million five hundred thirteen thousand dollars (\$547,513,000) is hereby appropriated from the General Fund to the Superintendent for allocation for the A–G Completion Improvement Grant Program in the manner and for the purpose set forth in this section.

(b) The A–G Completion Improvement Grant Program is hereby established for the purpose of providing additional supports to local educational agencies to help increase the number of California high school pupils, particularly unduplicated pupils, who graduate from high school with A–G eligibility.

(c) (1) (A) For the 2021–22 fiscal year, the Superintendent shall allocate three hundred million dollars (\$300,000,000) of the sum appropriated pursuant to subdivision (a), in an equal amount for every unduplicated pupil enrolled in grades 9 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the 2020–21 fiscal year Fall 1 Submission to each local educational agency that is identified by the department pursuant to subdivision (h) as having an overall A–G completion rate of less than 67 percent. A local educational agency that is otherwise eligible and is receiving concentration grant funding as of the second principal apportionment certification for the 2020–21 fiscal year shall receive a total allocation under this paragraph of not less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure through the 2025–26 fiscal year. On or before September 30, 2026, each local educational agency receiving an allocation pursuant to this subparagraph shall report final expenditures to the department, which shall initiate collection of any unexpended funds. Any local educational agency that does not submit the final expenditure report shall forfeit all funds allocated pursuant to this subparagraph.

(B) The allocation under this paragraph shall be known as an A–G Access Grant.

(2) (A) For the 2021–22 fiscal year, the Superintendent shall allocate one hundred million dollars (\$100,000,000) of the sum appropriated pursuant to subdivision (a), in an equal amount for every unduplicated pupil enrolled in grades 9 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the 2020–21 fiscal year Fall 1 Submission to each local educational agency that is identified by the department pursuant to subdivision (h) as having an overall A–G completion rate of 67 percent or higher. A local educational agency that is otherwise eligible and is

receiving concentration grant funding as of the second principal apportionment certification for the 2020–21 fiscal year shall receive a total allocation under this paragraph of not less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure through the 2025–26 fiscal year. On or before September 30, 2026, each local educational agency receiving an allocation pursuant to this subparagraph shall report final expenditures to the department, which shall initiate collection of any unexpended funds. Any local educational agency that does not submit the final expenditure report shall forfeit all funds allocated pursuant to this subparagraph.

(B) The allocation under this paragraph shall be known as an A–G Success Grant.

(d) (1) A–G Access Grants and A–G Success Grants shall be used for activities that directly support pupil access to, and successful completion of, the A–G course requirements. Eligible activities may include, but are not limited to, any of the following:

(A) Providing teachers, administrators, and counselors with professional development opportunities to improve the local educational agency’s A–G completion rate.

(B) Developing comprehensive advising plans and pupil supports, including tutoring programs, to improve the local educational agency’s A–G completion rate.

(C) Expanding access to coursework or other opportunities to satisfy A–G course requirements to all pupils, including, but not necessarily limited to, unduplicated pupils. These opportunities may include, but shall not be limited to, course development, course review, incorporating A–G course requirements into the local educational agency’s graduation requirements, and new or expanded partnerships with other secondary or postsecondary educational institutions.

(D) Advanced Placement and International Baccalaureate fees for unduplicated pupils.

(2) The Legislature encourages local educational agencies to direct A–G Success Grant funds towards pupils in danger of not achieving a grade of “C” or better in A–G courses.

(e) (1) (A) For the 2021–22 fiscal year, the Superintendent shall allocate one hundred forty-seven million five hundred thirteen thousand dollars (\$147,513,000) of the sum appropriated pursuant to subdivision (a), in an equal amount for every unduplicated pupil enrolled in grades 9 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the 2020–21 fiscal year Fall 1 Submission to each local educational agency. A local educational agency that is otherwise eligible and is receiving concentration grant funding as of the second principal apportionment certification for the 2020–21 fiscal year shall receive a total allocation under this paragraph of not less than seventy-five thousand dollars (\$75,000). These funds are available for expenditure through the 2025–26 fiscal year. On or before September 30, 2026, each local educational agency receiving an allocation pursuant to this subparagraph shall report final

expenditures to the department, which shall initiate collection of any unexpended funds. Any local educational agency that does not submit the final expenditure report shall forfeit all funds allocated pursuant to this subparagraph.

(B) The allocation under this subdivision shall be known as an A–G Learning Loss Mitigation Grant.

(2) (A) (i) A–G Learning Loss Mitigation Grants shall be used to allow pupils who receive a grade of “D,” “F,” or “Fail” in an A–G approved course in the spring semester of 2020 or the 2020–21 school year to retake those A–G courses.

(ii) The method of offering pupils the opportunity to retake courses provided in clause (i) shall be determined by the local educational agency.

(B) If sufficient funds are available after implementing subparagraph (A), a local educational agency may also use grant funds to offer credit recovery opportunities to all pupils to ensure pupils are able to graduate high school on time.

(f) A grant recipient shall develop a plan on or before April 1, 2022, describing how the funds received under this section will increase or improve services for unduplicated pupils to improve A–G eligibility, including information about the number of pupils identified for opportunities to retake courses pursuant to paragraph (2) of subdivision (e). The plan shall include information regarding how the plan and described services supplement, and do not supplant, those services identified in the school district’s local control and accountability plan required pursuant to Section 52060, the county superintendent of schools’ local control and accountability plan required pursuant to Section 52066, or the charter school’s local control and accountability plan required pursuant to Section 47605 or 47605.6 and Section 47606.5, and the local educational agency’s learning recovery program plan adopted pursuant to Section 43522. The plan shall also include a description of the extent to which all pupils within the local educational agency, particularly unduplicated pupils, will have access to A–G courses approved by the University of California. In order to ensure community and stakeholder input, the plan shall be discussed at a regularly scheduled meeting by the governing board of the school district, county board of education, or governing body of the charter school and adopted at a subsequent regularly scheduled meeting. The plan adopted by the governing board or body shall be submitted to the Superintendent at the same time as the reported information required pursuant to subdivision (g).

(g) A grant recipient shall report to the Superintendent on or before December 31, 2023, on how they are measuring the impact of the funds received under this section on their A–G completion rate, as identified within their plan, and the outcomes based on those measurements. The department shall compile the information reported pursuant to this subdivision and submit a report to the appropriate policy and fiscal committees of the Legislature on or before April 30, 2024, and shall update the state board on the contents of that report at a regularly scheduled meeting of the state board. A grant recipient shall report to the Superintendent on or before August 31,

2026, on final outcomes that measure the impact of the funds received under this section on their A–G completion rate.

(h) The Superintendent shall annually post on the department’s internet website in an easily accessible location a list of each local educational agency’s and each individual high school’s A–G completion rate.

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

(1) “A–G completion rate” means the percentage of pupils who have satisfied the A–G subject matter requirements for admission to the California State University and the University of California with a grade of “C” or better in each of the required courses upon graduation for the prior year.

(2) “A–G course” means a course that may be used to satisfy the A–G subject matter requirements for admission to the California State University and the University of California.

(3) “A–G eligibility” means the pupil has satisfied the A–G subject matter requirements for admission to the California State University and the University of California with a grade of “C” or better in each of the required courses.

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

(5) “Unduplicated pupil” has the same meaning as in Sections 42238.01 and 42238.02.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202, 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. 18. Section 41975 of the Education Code is amended to read:

41975. (a) Apportionments and allowances to a school district from Section A of the State School Fund in a fiscal year may not be less than the product of one hundred twenty dollars (\$120) multiplied by the average daily attendance of the district in the preceding fiscal year, or two thousand four hundred dollars (\$2,400), whichever amount is the greater.

(b) State funds apportioned to each school district for categorical education programs, or other state funds apportioned to each school district from the State School Fund, shall be applied to meet the requirement of Section 6 of Article IX of the California Constitution to provide a minimum of one hundred twenty dollars (\$120) of state aid per pupil or two thousand four hundred dollars (\$2,400) per school district.

(c) Notwithstanding any other law, the Superintendent of Public Instruction may not increase the local control funding formula apportionment of any school district pursuant to Section 42238.02 or 42238.03, as applicable, to provide basic state aid pursuant to Section 6 of Article IX of the California Constitution or any other law, unless that school district has not received the greater amount of one hundred twenty dollars (\$120) per

pupil or two thousand four hundred dollars (\$2,400) from all state funds, including funds for categorical education programs. If a school district receives less than the amount specified in this subdivision, the Superintendent of Public Instruction shall allocate the difference between the amount of state funds received and the constitutional minimum of the greater amount of one hundred twenty dollars (\$120) per pupil or two thousand four hundred dollars (\$2,400) per school district.

SEC. 19. Section 42127.8 of the Education Code is amended to read:

42127.8. (a) The governing board provided for in subdivision (b) shall establish a unit to be known as the County Office Fiscal Crisis and Management Assistance Team. The team shall consist of persons having extensive experience in school district budgeting, accounting, data processing, telecommunications, risk management, food services, pupil transportation, purchasing and warehousing, facilities maintenance and operation, and personnel administration, organization, and staffing. The Superintendent may appoint one employee of the department to serve on the unit. The unit shall be operated under the immediate direction of an appropriate county office of education selected jointly, in response to an application process, by the Superintendent and the president of the state board or the president of the state board's designee.

(b) The unit established under subdivision (a) shall be selected and governed by a 25-member governing board consisting of one representative chosen by the California County Superintendents Educational Services Association from each of the 11 county service regions designated by the association, 11 superintendents of school districts chosen by the Association of California School Administrators from each of the 11 county service regions, one representative from the department chosen by the Superintendent, the Chancellor of the California Community Colleges or the chancellor's designee, and one member of a community college district governing board chosen by the chancellor. The governing board of the County Office Fiscal Crisis and Management Assistance Team shall select a county superintendent of schools to chair the unit.

(c) (1) The Superintendent may request the unit to provide the assistance described in subdivision (b) of Section 1624, Section 1630, subdivision (b) of Section 42127.3, subdivision (e) of Section 42127.6, and Section 42127.9, and with the computation described in subdivision (a) of Section 42238.2, and to review the fiscal and administrative condition of any county office of education, school district, or charter school.

(2) A county superintendent of schools may request the unit to review the fiscal or administrative condition of a school district or charter school under the county superintendent of schools' jurisdiction.

(3) The Board of Governors of the California Community Colleges may request the unit to provide the assistance described in Section 84041.

(d) In addition to the functions described in subdivision (c), the unit shall do all of the following:

(1) Provide fiscal management assistance, at the request of any school district, charter school, or county office of education, or, pursuant to

subdivision (g) of Section 84041, at the request of any community college district. Each school district, charter school, or county office of education receiving that assistance shall be required to pay the personnel costs and travel costs incurred by the unit for that purpose, pursuant to rates determined by the governing board established under subdivision (b). The governing board annually shall ensure rate information is posted on the unit's internet website.

(2) Facilitate training for members of the governing board of the school district, district and county superintendents, chief financial officers within the district, and schoolsite personnel whose primary responsibility is to address fiscal issues. Training services shall emphasize efforts to improve fiscal accountability and expand the fiscal competency of local agencies. The unit shall use state professional associations, private organizations, and public agencies to provide guidance, support, and the delivery of any training services.

(3) Facilitate fiscal management training through the 11 county service regions to county office of education staff to ensure that they develop the technical skills necessary to perform their fiduciary duties. The governing board established pursuant to subdivision (b) shall determine the extent of the training that is necessary to comply with this paragraph.

(4) Produce a training calendar that publicizes all of the fiscal training services that are being offered at the local, regional, and state levels, and post that training calendar on the unit's internet website.

(e) The governing board shall reserve not less than 25 percent, nor more than 50 percent, of its revenues each year for expenditure for the costs of contracts and professional services as management assistance to school districts or county superintendents of schools in which the board determines that a fiscal emergency exists.

(f) The governing board established under subdivision (b) may levy an annual assessment against each county office of education that elects to participate under this section in an amount not to exceed twenty cents (\$0.20) per unit of total average daily attendance for all school districts within the county. The revenues collected pursuant to that assessment shall be applied to the expenses of the unit.

(g) The governing board established under subdivision (b) may pay to the department, from any available funds, a reasonable amount to reimburse the department for actual administrative expenses incurred in the review of the budgets and fiscal conditions of school districts, charter schools, and county superintendents of schools.

(h) When employed as a fiscal adviser by the department pursuant to Section 1630, employees of the unit established pursuant to subdivision (a) shall be considered employees of the department for purposes of errors and omissions liability insurance.

SEC. 20. Section 42238.024 of the Education Code is amended to read:

42238.024. (a) Commencing with the 2023–24 fiscal year, the sum of three hundred million dollars (\$300,000,000) is hereby appropriated each fiscal year from the General Fund to the Superintendent for allocation for

the Local Control Funding Formula Equity Multiplier apportionment in the manner and for the purposes set forth in this section. Commencing with the 2024–25 fiscal year, the amount appropriated pursuant to this subdivision shall be adjusted each fiscal year by the percentage change applied pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for that fiscal year.

(b) (1) Funds appropriated pursuant to subdivision (a) shall be made available by the Superintendent to eligible local educational agencies for allocation to schoolsites eligible pursuant to paragraph (2) for evidence-based services and supports for pupils, with a demonstration of how the resulting services and supports are increased or improved in comparison to services and supports that would have been provided at the schoolsites if the funding were not provided. Funds appropriated pursuant to subdivision (a) shall supplement, not supplant, funding provided for these schoolsites for purposes of the local control funding formula pursuant to Section 2574, 2575, or 42238.02, the Expanded Learning Opportunities Program pursuant to Section 46120, the Literacy Coaches and Reading Specialists Grant Program established pursuant to Section 137 of Chapter 52 of the Statutes of 2022, and the California Community Schools Partnership Act (Chapter 6 (commencing with Section 8900) of Part 6 of Division 1 of Title 1).

(2) For schoolsites with prior year nonstability rates greater than 25 percent and prior year socioeconomically disadvantaged pupil rates of greater than 70 percent, funding shall be allocated on a per-unit basis of the schoolsite's total prior year adjusted cumulative enrollment. The per-unit funding amount is based on total statewide eligible enrollment and the amount of funds available, as reported in the stability rate data file.

(3) An eligible schoolsite shall not receive funding pursuant to paragraph (2) of less than fifty thousand dollars (\$50,000), adjusted each fiscal year by percentage change applied pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for that fiscal year.

(4) A schoolsite deemed eligible pursuant to paragraph (2) shall instead be deemed ineligible if it meets either of the following criteria:

(A) The schoolsite has closed in the year in which the funds are to be allocated, as reported pursuant to paragraph (2) of subdivision (f) of Section 60900.

(B) Commencing with the 2024–25 fiscal year, the local educational agency generated funding for a schoolsite pursuant to paragraph (2) due to a pupil being enrolled in the school district office.

(5) Unspent funds from any fiscal year provided to a local educational agency with a schoolsite that has closed, as reported pursuant to paragraph (2) of subdivision (f) of Section 60900, shall be returned to the department. Local educational agencies shall report the total amount of unspent funds in accordance with instructions and forms prescribed and furnished by the Superintendent.

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

(1) “Eligible local educational agency” means a school district, county office of education, or charter school that generates a local control funding formula entitlement pursuant to Sections 2574, 2575, or 42238.02, excluding

a charter school classified as a nonclassroom-based charter school as of the prior fiscal year's second principal apportionment certification pursuant to Section 47612.5.

(2) "Nonstability rate" means the percentage of pupils who are either enrolled for less than 245 continuous days between July 1 and June 30 of the prior school year, or exited from a school between July 1 and June 30 of the prior school year due to either truancy, expulsion, or for unknown reasons and without stable subsequent enrollment at another school as identified in the stability rate data file.

(3) "Prior year adjusted cumulative enrollment" means any enrollment with a start date in the school year in transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, as identified in the stability rate data file.

(4) "Schoolsite" means an individual school in an eligible local educational agency, excluding the school district office.

(5) "Socioeconomically disadvantaged pupil rate" means the percentage of pupils that meet any of the following criteria for the prior school year:

(A) Neither of the pupil's parents has a high school diploma.

(B) The pupil is eligible for free or reduced-price meals under the federal National School Lunch Program, including by direct certification.

(C) The pupil is a migratory child for purposes of Part C (commencing with Section 6391) of Subchapter I of Chapter 70 of Title 20 of the United States Code.

(D) The pupil is a homeless child or youth.

(E) The pupil is a foster youth.

(F) The pupil is enrolled in a county juvenile court school.

(6) "Stability rate data file" means the initial publication of the annual file published by the department for the prior school year that will be used to determine a schoolsite's prior year adjusted cumulative enrollment, nonstability rate, and socioeconomically disadvantaged rate for the purposes of calculating funding pursuant to this section for an eligible local educational agency.

(d) Notwithstanding Section 10231.5 of the Government Code, by February 1, 2025, and each February 1 thereafter, the department, using existing resources, shall submit an annual report to the relevant policy and fiscal committees of the Legislature, the state board, and the Department of Finance that includes the following information on pupil outcomes at schoolsites that receive funding pursuant to this section and statewide pupil outcomes:

(1) Pupil subgroup data captured in the stability rate data file, based on enrollment at the eligible schoolsite.

(2) Number of truant pupils captured in the stability rate data file and enrolled at the eligible schoolsite.

(3) Number of expelled pupils captured in the stability rate data file and enrolled at the eligible schoolsite.

(4) Number of pupils whose reasons for exit from the schoolsite are unknown, as captured in the stability rate data file, and enrolled at the eligible schoolsite.

(5) Performance of the eligible schoolsites on California School Dashboard state indicators, disaggregated by pupil subgroup.

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

SEC. 21. 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 fiscal year total is greater, or the average of the three most recent prior fiscal years, if the three-year average total is greater than both the current fiscal year and prior fiscal year, 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) Average daily attendance for any applicable prior fiscal year 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.

(g) For purposes of computing the average of the three most recent prior fiscal years for a school district pursuant to this section, the Superintendent shall adjust a school district’s average daily attendance applicable to the

2021–22 fiscal year by the amount computed pursuant to paragraph (3) of subdivision (a) of Section 42238.023.

SEC. 22. Section 42252 is added to the Education Code, to read:

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

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

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

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

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

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

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

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

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

(9) Six hundred thirty-four million one hundred nine thousand dollars (\$634,109,000) for the California State Preschool Program to be expended

consistent with the requirements specified in Item 6100-196-0001 of Section 2.00 of the Budget Act of 2022.

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

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

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

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

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

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

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

SEC. 23. 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) (1) The amount of funding for each qualified school district shall equal the sum of all necessary small school allowances calculated for eligible schools within the school district. Subject to paragraph (2), each necessary small school's allowance shall be the greater of the following:

(A) The necessary small elementary school allowance determined pursuant to Section 42282 for the prior fiscal year average daily attendance and the number of full-time teachers, or the necessary small high school allowance determined pursuant to Section 42284 for the prior fiscal year average daily attendance and the number of certificated employees.

(B) The necessary small elementary school allowance determined pursuant to Section 42282 for the current fiscal year average daily attendance and the number of full-time teachers, or the necessary small high school allowance determined pursuant to Section 42284 for the current fiscal year average daily attendance and the number of certificated employees.

(C) The necessary small elementary school allowance 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, or the necessary small high school allowance 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.

(2) (A) If the greatest necessary small school allowance calculated pursuant to paragraph (1) is equal to the amounts computed pursuant to subparagraph (B) of paragraph (1) and either subparagraph (A) or (C) of paragraph (1), the necessary small school allowance shall be calculated based on the amount computed pursuant to subparagraph (B) of paragraph (1).

(B) If the greatest necessary small school allowance calculated pursuant to paragraph (1) is equal to the amounts computed pursuant to subparagraphs (A) and (C) of paragraph (1), the necessary small school allowance shall be calculated based on the amount computed pursuant to subparagraph (A) of paragraph (1).

(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. 24. Section 43523 of the Education Code is amended to read:

43523. (a) For 2021–22 fiscal year audits, the Controller shall include instructions in the audit guide required by Section 14502.1 that include procedures for determining both of the following for local educational agencies that receive apportionments under Section 43521:

(1) Compliance with clause (iii) of subparagraph (B) of paragraph (2) of subdivision (c) of Section 43521.

(2) Compliance with subdivisions (c), (d), and (e) of Section 43522.

(b) (1) For a local educational agency with audit findings of noncompliance pursuant to subdivision (c) of Section 43522, the Superintendent shall withhold from the local educational agency's principal

apportionment an amount equal to the amount of expenditures from state funds that are noncompliant pursuant to subdivision (c) of Section 43522.

(2) For a local educational agency with audit findings of noncompliance pursuant to subdivision (d) of Section 43522, the Superintendent shall withhold from the local educational agency's principal apportionment an amount equal to the amount of expenditures from state funds that are noncompliant pursuant to subdivision (d) of Section 43522.

(c) Local educational agencies receiving apportionments under Section 43521 shall report final expenditures of those apportioned funds to the department in accordance with paragraphs (1) to (4), inclusive. A local educational agency that does not submit an expenditure report shall forfeit all respective funds apportioned pursuant to subdivision (b) or (c) of Section 43521. The Superintendent shall initiate collection proceedings for unexpended funds or forfeited amounts, and may withhold the unexpended or forfeited amounts from the local educational agency's principal apportionment. Final expenditures shall be reported to the department as follows:

(1) On or before January 31, 2025, final expenditures of state funds received pursuant to subdivision (b) of Section 43521.

(2) On or before December 1, 2024, final expenditures of state funds received pursuant to subdivision (c) of Section 43521.

(3) On or before June 30, 2024, final expenditures of federal funds received pursuant to paragraphs (1) and (2) of subdivision (a) of Section 43521, based on the allocation of funds pursuant to subdivision (b) of Section 43521.

(4) On or before July 31, 2026, final expenditures of federal funds received pursuant to paragraphs (3) and (4) of subdivision (a) of Section 43521, based on the allocation of funds pursuant to subdivision (b) of Section 43521.

SEC. 25. Section 43525 of the Education Code is amended to read:

43525. This part shall become inoperative on June 30, 2026, and, as of January 1, 2027, is repealed.

SEC. 26. Section 44230 of the Education Code is amended to read:

44230. (a) (1) The commission shall maintain for public record, and may disclose, only the following information relating to the credentials, certificates, permits, or other documents that it issues: the document number, title, term of validity, subjects, authorizations, effective dates, renewal requirements, and restrictions. The commission may also disclose the last known business address of any applicant or credentialholder.

(2) Notwithstanding any other law, except as provided for in Sections 10871, 44230.6, and 44248, no information, other than that set forth in paragraph (1), may be disclosed by the commission absent an order from a court of competent jurisdiction.

(b) In order to expedite the application process for the benefit of applicants for credentials, certificates, permits, or other documents issued by the commission, the commission may receive from, or transmit to, the agency that submitted the application, either electronically or by printed

copy, the information set forth in that application. For purposes of this subdivision, “agency” means a charter school, school district, county office of education, nonpublic school or agency, or institution of higher education having a commission-approved program of professional preparation.

SEC. 27. Section 44235.25 is added to the Education Code, immediately following Section 44235.2, to read:

44235.25. The Test Development and Administration Account is hereby abolished on July 1, 2024, and all unencumbered moneys and authority in the fund are transferred to the Teacher Credentials Fund.

SEC. 28. Section 44252 of the Education Code is amended to read:

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

(2) (A) The commission shall require an initial or renewal applicant who submits an initial or renewal application for the applicant’s credential online, as part of the application process, to read and attest by electronic signature a statement that the applicant for the credential understands the duties imposed on a holder of a teaching credential or a services credential pursuant to the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code), including, but not limited to, the duty of a holder of a teaching credential or a services credential to report to any police department, sheriff’s department, county probation department authorized to receive reports, or county welfare department, whenever the credentialholder, in the credentialholder’s professional capacity or within the scope of the credentialholder’s employment, has knowledge of or observes a child whom the holder of a teaching credential or a services credential knows or reasonably suspects has been the victim of child abuse or neglect.

(B) The commission shall require an initial applicant who submits an application in paper form, as part of the application process, to read and attest by signature a statement that the applicant understands the duties imposed on a holder of a teaching credential or a services credential pursuant to the Child Abuse and Neglect Reporting Act (Article 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of Part 4 of the Penal Code), including, but not limited to, the duty of a holder of a teaching credential or a services credential to report to any police department, sheriff’s department, county probation department authorized to receive reports, or county welfare department, whenever the credentialholder, in the credentialholder’s professional capacity or within the scope of the credentialholder’s employment, has knowledge of or observes a child whom the holder of a teaching credential or a services credential knows or reasonably suspects has been the victim of child abuse or neglect.

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

“As a documentholder authorized to work with children, it is part of my professional and ethical duty to report every instance of child abuse or

neglect known or suspected to have occurred to a child with whom I have professional contact.

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

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

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

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

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

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

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

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

(2) An applicant for an adult education designated subject credential for other than an academic subject.

(3) A person credentialed in another state who is an applicant for employment in a school district in this state who has passed a basic skills proficiency examination administered by the state where the person is credentialed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) An applicant who has obtained a baccalaureate degree or higher degree from a regionally accredited institution of higher education.

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

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

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

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

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

(f) (1) Each applicant to an approved credential program, unless exempted by subdivision (b), shall take the state basic skills proficiency test in order to provide both the prospective applicant and the program with information regarding the proficiency level of the applicant. Test results shall be forwarded to each California postsecondary educational institution to which the applicant has applied. The program shall use test results to ensure that, upon admission, each applicant receives appropriate academic assistance necessary to pass the state basic skills proficiency test. Persons

residing outside the state shall take the test no later than the second available administration following their enrollment in a credential program.

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

SEC. 29. Section 44252.5 of the Education Code is amended to read:

44252.5. (a) The commission shall administer the state basic skills proficiency test pursuant to Sections 44227, 44252, and 44830 in accordance with rules and regulations adopted by the commission. A fee shall be charged to individuals being tested to cover the costs of the test, including the costs of developing, administering, and grading the test. The amount of the fee shall be established by the commission to recover the cost of examination administration and development pursuant to Section 44235.3.

(b) The commission may enter into agreements with other states permitting the use of the state basic skills proficiency test as a requirement for the issuance of credentials or for teacher preparation program admission in those other states, provided that the use would advance the interests of the State of California and that the other states reimburse the Teacher Credentials Fund for a proportionate share of costs of the development and administration of the test.

(c) An individual who possesses a baccalaureate degree or higher degree from a regionally accredited institution of higher education, or passes the state basic skills proficiency test, as adopted by the Superintendent, shall be considered proficient in the skills of reading, writing, and mathematics, and shall not be required to be retested by this test for purposes of meeting the proficiency requirements of Sections 44227, 44252, and 44830.

(d) An individual who passes one or more components of the state basic skills proficiency test in the subjects of basic reading, writing, or mathematics shall be deemed to have demonstrated the individual's proficiency in these subject areas and shall not be required to be retested in these subjects during subsequent test administrations.

SEC. 30. Section 44258.9 of the Education Code is amended to read:

44258.9. (a) (1) The Legislature finds and declares that continued monitoring of educator assignments by the commission and the county superintendents of schools and continued reporting of educator assignments by the department will help ensure that local educational agencies meet state and federal reporting requirements, including the requirements of the federal Every Student Succeeds Act (Public Law 114-95), or any other federal law that effectively replaces that act, and will ensure that the rate of educator misassignments remains low. To support pupil access to credentialed and appropriately assigned educators, the commission and the department shall collaborate to publish annual data on educator credentialing and assignment, at the school, local educational agency, and state level. To the extent possible, and with the funds provided for that purpose, each county office of education shall perform its duties as a monitoring authority, as specified in subdivision (e).

(2) The commission and the department shall collaborate to perform the duties specified in this section, with the commission executing the assignment monitoring process and the department facilitating the annual teaching assignment monitoring data production and publication.

(3) The teaching assignment monitoring outcome data reporting shall be executed in a manner consistent with the statewide system of support and the school accountability system established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4, county office of education monitoring established pursuant to Article 2 (commencing with Section 1240) of Chapter 2 of Part 2 of Division 1 of Title 1, and the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act, or any other federal law that effectively replaces that act.

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

(1) “Assignment” means the placement of an individual in a teaching or services position. An “assignment” can be filled legally by an individual with a credential, permit, waiver, or any other document issued by the commission authorizing the assignment, or the individual may be otherwise authorized by statute.

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

(3) “Misassignment” has the same meaning as defined in Section 33126. For purposes of this section, “employee,” as used in the definition of “misassignment” in Section 33126, includes an individual hired on a contract. For purposes of this section, in a charter school, “misassignment” shall apply only to employees in teaching positions.

(4) “Monitoring authority” means:

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

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

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

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

(5) “System,” unless the context requires otherwise, means the State Assignment Accountability System, which is an electronic data system administered by the commission for monitoring educator assignments and vacant positions and uses department data collected pursuant to Section 60900 for its functioning.

(6) “Vacant position” means a position to which a single-designated certificated employee has not been assigned at the time that the data are collected by the department pursuant to Section 60900.

(c) The commission and the department shall enter into a data sharing agreement for the department to provide the commission with educator assignment data necessary to annually identify educator assignments, including assignments filled by individuals on preliminary or clear credentials, intern credentials, permits or waivers, misassignments, and vacant positions at local educational agencies. The data sharing agreement shall also require the commission to make credential, permit, waiver, misassignment, vacant positions, and other relevant data available to the department to support reporting consistent with the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act (Public Law 114–95), or any other federal law that effectively replaces that act, and applicable state reporting requirements, including for the statewide system of support established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4.

(d) The commission and the department may engage in a variety of activities designed to inform school administrators, teachers, and personnel within the county offices of education of the regulations and statutes affecting the assignment of educators and how data on educator assignments is published and used. These activities may include, but shall not necessarily be limited to, the preparation of instructive brochures and the holding of regional workshops.

(e) (1) The commission shall annually use the data provided by the department pursuant to subdivision (c) to produce an initial data file of vacant positions and educator assignments that do not have a clear match of credential to assignment. The commission shall notify local educational agencies and monitoring authorities of the opportunity to access the system and review the initial data file of potential misassignments and vacant positions.

(2) A local educational agency may do any of the following within 60 days of the commission's notification pursuant to paragraph (1):

(A) Access and review the initial data file in the system to determine if each educator included in the initial data file is otherwise legally authorized for the assignment.

(B) Submit documentation or additional assignment information to the commission and monitoring authority showing that the educator is otherwise legally authorized for the assignment. This information may include the use of local assignment options outlined in any statute or regulation.

(C) Submit documentation to the commission and monitoring authority showing that a position identified in the initial data file as vacant was miscoded and that a legally authorized educator was assigned to the position.

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

(4) A monitoring authority shall access the system to review the initial data file and any documentation or additional information submitted by a local educational agency for which it is a monitoring authority and make a

determination of potential misassignments and vacant positions within 90 days of the commission's notification pursuant to paragraph (1).

(5) The commission shall have the authority to make a final determination for all potential assignments and misassignments.

(6) After the 90-day review period pursuant to paragraph (4), the commission shall share all educator assignment data, including all preliminary and clear credentials, intern credentials, permits, waivers, misassignments, and vacant positions for that year, with the department for the department's teaching assignment monitoring outcomes report and other state and federal reporting requirements.

(7) Once published, the commission shall post a link to the department's teaching assignment monitoring outcomes reporting on its internet website, with resources for local educational agencies seeking to maintain a fully credentialed and properly assigned educator workforce.

(8) Notwithstanding any other law, the commission, when identifying misassignments using the system, shall identify an educator in a teaching position, including an educator at a charter school, as correctly assigned only when the educator holds the certificate or credential required by the commission for that assignment in a noncharter public school, taking into account local assignment options.

(9) Commencing in the 2020–21 school year, a chartering authority, as provided in this section, may request technical assistance to assist in its determination of potential misassignments and vacant positions from the county office of education in the county in which the chartering authority is located.

(10) For a school district, the county superintendent of schools shall notify, through the office of the school district superintendent, a certificated school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the school administrator to correct the assignment within 30 calendar days. For a charter school, the monitoring authority shall notify the charter school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the charter school administrator to correct the assignment within 30 calendar days.

(f) The system and the data reported from the system shall not be used by a local educational agency for purposes of evaluating certificated employees, certificated employee performance determinations, or employment decisions.

(g) If an employee, including an employee who is employed by a charter school, is required by a local educational agency to accept an assignment in a teaching or services position for which the employee has no legal authorization, all of the following shall occur:

(1) (A) After exhausting existing local remedies, an employee of a school district shall notify the superintendent of the school district, and an employee of a charter school shall notify the administrator of the charter school, in writing, of the illegal assignment.

(B) If no action is taken after the notice required pursuant to subparagraph (A), an employee of a school district shall notify the county superintendent of schools, and an employee of a charter school shall notify the chartering authority, in writing, of the illegal assignment.

(2) In the case of an assignment by a school district for which the employee has filed a notice that the employee has no legal authorization, the school district or county superintendent of schools shall advise the employee about the legality of the assignment within 15 working days. In the case of an assignment by a charter school for which the employee has filed a notice that the employee has no legal authorization, the administrator of the charter school or the chartering authority shall advise the employee about the legality of the assignment within 15 working days.

(3) A local educational agency shall not take adverse action against an employee who files a notice of misassignment pursuant to paragraph (1).

(4) Notwithstanding any other law, for purposes of a charter school authorized by the state board, the employee shall file the written notices regarding misassignment described in paragraph (1) with the commission.

(5) During the period of a misassignment, the certificated employee who files a written notice pursuant to subparagraph (B) of paragraph (1) shall be exempt from Section 45034.

(6) If it is determined that a misassignment has occurred, a performance evaluation pursuant to Article 11 (commencing with Section 44660) of Chapter 3 of the certificated employee in the misassignment shall be nullified.

(7) A certificated employee who has not attained permanent status is subject to the protections described in this subdivision and subdivision (f) even if the certificated employee does not provide notice pursuant to paragraph (1).

(h) For the 2019–20 school year, the final data file generated by the system to identify misassignments and vacant positions shall be nonconsequential and shall be provided to the department, local educational agencies, and monitoring authorities by the commission for informational purposes only.

(i) Commencing with the 2020–21 school year, and each school year thereafter, following the 90-day review period provided for monitoring authorities pursuant to subdivision (e), the commission shall do all of the following:

(1) Ensure local educational agencies have access to the results of the system's process of assignment monitoring to support local continuous improvement efforts.

(2) Publish annual certificated educator assignment data that reflects the level of preparation and licensure of educators serving California pupils. This data shall include comprehensive information on all educator assignments, including those filled by individuals on permits or waivers, intern credentials, and preliminary or clear credentials, and those properly assigned and misassigned, at the schoolsite, local educational agency, county, and state level. The commission may also publish data on educators serving

on administrative and pupil services credentials, educator preparation pathways, and educator retention, and whether certificated staff are employed in K–12 education.

(3) Support the department to do all of the following:

(A) Make annual educator assignment, misassignment, and vacant position data generated by the system publicly available in a searchable format on the department’s internet website. Data shall be updated annually and provide comprehensive information on teaching assignment outcomes inclusive of all educator classifications at the schoolsite, school district, and county level.

(B) Ensure that data for charter schools is distinguishable from data for noncharter public schools when made publicly available in a searchable format.

(C) Maintain each year’s data for no less than five years.

(D) Ensure that the publicly available misassignment data reported from the system shall not include any personally identifiable information, including names, social security numbers, home addresses, telephone numbers, or email addresses of individual educators.

(j) The commission may promulgate regulations that define standards for a local educational agency, including a charter school, that consistently misassigns educators and what sanctions, if any, to impose on that local educational agency.

(k) (1) On or before December 1, 2022, the commission shall report to the appropriate policy and fiscal committees of the Legislature on the development of the system, including, but not limited to, all of the following:

(A) The development and current status of the system.

(B) The ability of the system to efficiently produce accurate annual data on teacher misassignments.

(C) Statewide information regarding misassignments, delineated by credential type, assignment, and type of school.

(D) Use of local assignment options, delineated by local assignment option and type of school.

(E) Any recommendations to improve the system and the local assignment monitoring process required by this section.

(F) Identification of any need for further technical assistance for local educational agencies, including chartering authorities, to improve assignment monitoring and reduce the overall rate of misassignment.

(2) Pursuant to Section 10231.5 of the Government Code, the reporting requirement described in paragraph (1) shall be inoperative on December 1, 2026.

(l) This section shall not relieve a local educational agency from compliance with state and federal law regarding teachers of English learners or be construed to alter the definition of “misassignment” for purposes of Section 33126 or the definition of “vacancy” for purposes of Section 35186.

SEC. 31. Section 44259 of the Education Code is amended to read:

44259. (a) Except as provided in clauses (i) and (iii) of subparagraph (A) of paragraph (3) of subdivision (b), a program of professional preparation

for multiple or single subject teaching credentials shall not include more than two years of full-time study of professional preparation.

(b) The minimum requirements for the preliminary multiple subject, single subject, or education specialist teaching credential are all of the following:

(1) A baccalaureate degree or higher degree from a regionally accredited institution of higher education. Except as provided in subdivision (c) of Section 44227, for single subject teaching credentials, the baccalaureate degree shall not be in professional education. The commission shall encourage regionally accredited institutions of higher education to offer undergraduate minors in education and special education to students who intend to become single subject credentialed teachers.

(2) [Reserved]

(3) (A) Satisfactory completion of a program of professional preparation that has been accredited by the Committee on Accreditation on the basis of standards of program quality and effectiveness that have been adopted by the commission. In accordance with the commission's assessment and performance standards, a program shall include a teaching performance assessment as set forth in Section 44320.2 that is aligned with the California Standards for the Teaching Profession. The commission shall ensure that a candidate recommended for a credential or certificate has demonstrated satisfactory ability to assist pupils to meet or exceed academic content and performance standards for pupils adopted by the state board. Programs that meet this requirement for professional preparation shall include any of the following:

(i) Integrated programs of subject matter preparation and professional preparation pursuant to subdivision (a) of Section 44259.1.

(ii) Postbaccalaureate programs of professional preparation, pursuant to subdivision (d) of Section 44259.1.

(iii) Internship programs of professional preparation, pursuant to Section 44321, Article 7.5 (commencing with Section 44325), Article 11 (commencing with Section 44380), and Article 3 (commencing with Section 44450) of Chapter 3.

(iv) Degree programs offered pursuant to Article 5 (commencing with Section 78060) of Chapter 1 of Part 48 of Division 7 of Title 3.

(B) A program of professional preparation pursuant to subparagraph (A) shall provide experience that addresses all of the following:

(i) Health education, including study of nutrition, cardiopulmonary resuscitation, and the physiological and sociological effects of the abuse of alcohol, narcotics, and drugs and the use of tobacco. Training in cardiopulmonary resuscitation shall also meet the standards established by the American Heart Association or the American Red Cross.

(ii) Field experience in methods of delivering appropriate educational services to pupils with exceptional needs in regular education programs.

(iii) Advanced computer-based technology, including the uses of technology in educational settings.

(4) Study of effective means of teaching literacy, including, but not limited to, the study of reading as described in subparagraphs (A) and (B), and evidence-based means of teaching foundational reading skills in print concepts, phonological awareness, phonics and word recognition, and fluency to all pupils, including tiered supports for pupils with reading difficulties, English learners, and pupils with exceptional needs. The study of effective means of teaching literacy shall be in accordance with the commission's standards of program quality and effectiveness and current teaching performance expectations, shall be aligned to the current English Language Arts/English Language Development (ELA/ELD) Framework adopted by the state board, and shall incorporate the program guidelines for dyslexia developed pursuant to Section 56335. The study of reading shall meet the following requirements:

(A) Commencing January 1, 1997, satisfactory completion of comprehensive reading instruction that is research based and includes all of the following:

- (i) The study of organized, systematic, explicit skills including phonemic awareness, direct, systematic, explicit phonics, and decoding skills.
- (ii) A strong literature, language, and comprehension component with a balance of oral and written language.
- (iii) Ongoing diagnostic techniques that inform teaching and assessment.
- (iv) Early intervention techniques.
- (v) Guided practice in a clinical setting.

(B) For purposes of this section, "direct, systematic, explicit phonics" means phonemic awareness, spelling patterns, the direct instruction of sound/symbol codes and practice in connected text, and the relationship of direct, systematic, explicit phonics to the components set forth in clauses (i) to (v), inclusive, of subparagraph (A).

(C) A program for the multiple subject teaching credential and the education specialist teaching credential also shall include the study of integrated methods of teaching language arts.

(5) (A) Verification of subject matter competence, demonstrated through one of the following methods:

(i) Completion of a subject matter program approved by the commission on the basis of standards of program quality and effectiveness pursuant to Article 6 (commencing with Section 44310).

(ii) Passage of a subject matter examination pursuant to Article 5 (commencing with Section 44280).

(iii) Successful completion of coursework at one or more regionally accredited institutions of higher education that addresses each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282, as verified by a commission-approved program of professional preparation. Coursework completed at a community or junior college that is regionally accredited by an accrediting agency listed in subparagraph (A) of paragraph (1) of subdivision (g) of Section 44203 or by the Accrediting Commission for

Community and Junior Colleges of the Western Association of Schools and Colleges may count for purposes of this clause.

(iv) Successful completion of a baccalaureate or higher degree from a regionally accredited institution of higher education with the following, as applicable:

(I) For single subject credentials, a major in one of the subject areas in which the commission credentials candidates.

(II) For multiple subject credentials, a liberal studies major or other degree that includes coursework in the content areas pursuant to subdivision (b) of Section 44282.

(III) For education specialist credentials, either a major in one of the subject areas in which the commission credentials candidates or a liberal studies or other major that includes coursework in the content areas pursuant to subdivision (b) of Section 44282.

(v) Demonstration that the candidate, through a combination of the methods described in clauses (i), (ii), and (iii) in whole or in part, has met or exceeded each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282 for multiple and single subject credentials, or pursuant to Section 44265 for education specialist credentials.

(B) (i) The commission shall ensure that subject matter standards and examinations are aligned with the academic content and performance standards for pupils adopted by the state board.

(ii) The commission shall maintain the subject matter domains that include both broad content areas to support coursework review pursuant to clause (iii) of subparagraph (A) and specific content elements to delineate subject matter examination specifications pursuant to clause (ii) of subparagraph (A) and Article 5 (commencing with Section 44280).

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

(7) Demonstration, in accordance with the commission's standards of program quality and effectiveness, of basic competency in the use of computers in the classroom as determined by one of the following:

(A) Successful completion of a commission-approved program or course.

(B) Successful passage of an assessment that is developed, approved, and administered by the commission.

(c) The minimum requirements for the clear multiple or single subject teaching credential shall include all of the following requirements:

(1) Possession of a valid preliminary teaching credential, as prescribed in subdivision (b), possession of a valid equivalent credential or certificate, or completion of equivalent requirements as determined by the commission.

(2) Except as provided in paragraph (3), completion of a program of beginning teacher induction, including either of the following:

(A) A program of beginning teacher induction that is provided by one or more local educational agencies and has been approved by the commission on the basis of initial review and periodic evaluations of the program in relation to appropriate standards of credential program quality and

effectiveness that have been adopted by the commission pursuant to this subdivision. The program standards shall encourage innovation and experimentation in the continuous preparation and induction of beginning teachers.

(B) A program of beginning teacher induction that is sponsored by a regionally accredited institution of higher education in cooperation with one or more local school districts, that addresses the individual professional needs of beginning teachers and meets the commission's standards of induction. The commission shall ensure that preparation and induction programs that qualify candidates for professional credentials extend and refine each beginning teacher's professional skills in relation to the California Standards for the Teaching Profession and the academic content and performance standards for pupils adopted by the state board.

(3) (A) If a candidate satisfies the requirements of subdivision (b) through completion of an accredited internship program of professional preparation, and if that internship program fulfills induction standards and is approved as set forth in this subdivision, the commission shall determine that the candidate has fulfilled the requirements of paragraph (2).

(B) If an approved induction program is verified as unavailable to a beginning teacher, the commission shall accept completion of an approved clear credential program after completion of a baccalaureate degree at a regionally accredited institution of higher education as fulfilling the requirements of paragraph (2). The commission shall adopt regulations to implement this subparagraph.

(d) The commission shall develop and implement standards of program quality and effectiveness that provide for the areas of application listed in clauses (i) to (iii), inclusive, of subparagraph (B) of paragraph (3) of subdivision (b), starting in professional preparation and continuing through induction.

(e) A credential that was issued before January 1, 1993, shall remain in force as long as it is valid under the laws and regulations that were in effect on the date it was issued. The commission shall not, by regulation, invalidate an otherwise valid credential, unless it issues to the holder of the credential, in substitution, a new credential authorized by another provision in this chapter that is no more restrictive than the credential for which it was substituted with respect to the kind of service authorized and the grades, classes, or types of schools in which it authorizes service.

(f) A credential program that is approved by the commission shall not deny an individual access to that program solely on the grounds that the individual obtained a teaching credential through completion of an internship program when that internship program has been accredited by the commission.

(g) Notwithstanding this section, persons who were performing teaching services as of January 1, 1999, pursuant to the language of this section that was in effect before that date, may continue to perform those services without complying with any requirements that may be added by the amendments adding this subdivision.

(h) Paragraph (4) of subdivision (b) does not apply to any person who, as of January 1, 1997, holds a multiple or single subject teaching credential, or to any person enrolled in a program of professional preparation for a multiple or single subject teaching credential as of January 1, 1997, who subsequently completes that program. It is the intent of the Legislature that the requirements of paragraph (4) of subdivision (b) apply only to persons who enter a program of professional preparation on or after January 1, 1997.

SEC. 32. Section 44260.2 of the Education Code is amended to read:

44260.2. The minimum requirements for the three-year preliminary designated subjects adult education teaching credential shall be all of the following:

(a) For nonacademic subjects:

(1) Three years of adequate, successful, and recent experience in, or a combination of experience and education in, the nonacademic subject to be named on the credential.

(2) Possession of a high school diploma or the passage of an equivalency examination as designated by the commission.

(b) For academic subjects, a baccalaureate or higher degree from a regionally accredited institution of higher education that includes a minimum of 20 semester units, or the equivalent quarter units, of coursework in the subject to be named on the credential.

(c) Satisfaction of the requirements for teacher fitness pursuant to Sections 44339, 44340, and 44341.

SEC. 33. Section 44270.3 of the Education Code is amended to read:

44270.3. Notwithstanding any provision of this chapter, the commission shall issue a preliminary services credential with a specialization in administrative services to an out-of-state trained administrator who meets all of the following requirements:

(a) Possesses a baccalaureate degree from a regionally accredited institution of higher education.

(b) Completed a teacher preparation program at a regionally accredited institution of higher education, was issued an elementary, secondary, or special education teaching credential based upon that program, and served on that credential for at least three years.

(c) Completed an administrator preparation program at a regionally accredited institution of higher education and was issued, or qualified for, an administrative services credential based upon that program.

(d) Submitted fingerprint cards and met the requirements of California for teacher fitness pursuant to Sections 44339, 44340, and 44341.

SEC. 34. Section 44274.2 of the Education Code is amended to read:

44274.2. (a) Notwithstanding any provision of this chapter, the commission shall issue a five-year preliminary multiple subject teaching credential authorizing instruction in a self-contained classroom, a five-year preliminary single subject teaching credential authorizing instruction in departmentalized classes, or a five-year preliminary education specialist credential authorizing instruction of special education pupils to an out-of-state prepared teacher who meets all of the following requirements:

(1) Possesses a baccalaureate degree from a regionally accredited institution of higher education.

(2) Has completed a teacher preparation program at a regionally accredited institution of higher education or a state-approved teacher preparation program offered by a local educational agency.

(3) Meets the subject matter knowledge requirements for the credential. If the subject area listed on the out-of-state credential does not correspond to a California subject area, as specified in Sections 44257 and 44282, the commission may require the applicant to meet California subject matter requirements before issuing a clear credential.

(4) Has earned a valid corresponding elementary, secondary, or special education teaching credential based upon the out-of-state teacher preparation program. For the education specialist credential, the commission shall determine the area of concentration based on the special education program completed out of state, or shall allow the candidate to demonstrate the area of concentration based on two years of experience in California, while the candidate holds the preliminary credential.

(5) Has successfully completed a criminal background check conducted under Sections 44339, 44340, and 44341 for credentialing purposes.

(b) The commission shall issue a clear multiple subject, single subject, or education specialist teaching credential to an applicant who satisfies the requirements of subdivision (a), provides verification of two or more years of teaching experience, including, but not necessarily limited to, two satisfactory performance evaluations, and documents, in a manner prescribed by the commission, that the applicant has met the state requirements for teaching English learners, including, but not necessarily limited to, the requirements in Section 44253.3 or 44259.5.

(c) For applicants who do not meet the experience requirement described in subdivision (b), the commission shall issue a clear multiple subject, single subject, or education specialist teaching credential upon verification of the following requirements:

(1) The commission has issued to the applicant a preliminary five-year teaching credential pursuant to subdivision (a). However, an out-of-state prepared applicant in both special education and general education, who has earned a clear California education specialist credential, shall be granted a clear multiple subject or clear single subject teaching credential without first holding a preliminary multiple subject or single subject teaching credential, unless the commission determines that the applicant does not meet the other requirements of this subdivision.

(2) The applicant has completed a beginning teacher induction program pursuant to paragraph (2) of subdivision (c) of Section 44259.

(3) The applicant has met the requirements for teaching English learners, including, but not necessarily limited to, the requirements in Section 44253.3 or 44259.5.

SEC. 35. Section 44275.4 of the Education Code is amended to read:

44275.4. Notwithstanding any other law:

(a) It is the intent of the Legislature that both of the following occur:

(1) That this section provide flexibility to enable school districts to recruit credentialed elementary, secondary, and special education teachers prepared in countries other than the United States to relocate temporarily or permanently to this state.

(2) That any and all teachers prepared in countries other than the United States who are granted a California teaching credential pursuant to this section fully meet the requirements of this state.

(b) Coursework, programs, or degrees completed at an institution of higher education outside of the United States are acceptable toward certification when the commission or an evaluating agency approved by the commission determines that the institution's coursework, programs, or degrees are equivalent to those offered by a regionally accredited institution of higher education in the United States. The commission reserves the right to accept or reject an approved evaluating agency's determination. Notwithstanding any other provision of this chapter, the commission shall issue a five-year preliminary multiple subject teaching credential authorizing instruction in a self-contained classroom, a five-year preliminary single subject teaching credential authorizing instruction in a departmentalized classroom, or a five-year preliminary education specialist credential authorizing instruction of special education pupils to a teacher prepared in a country other than the United States who meets both of the following requirements:

(1) The teacher holds or is eligible for a credential from another country that required a baccalaureate or higher degree determined to be equivalent to those offered by a regionally accredited institution of higher education in the United States and completion of a professional preparation program approved by the appropriate agency in the country where the program was completed that requires the teacher to meet requirements equivalent to the multiple or single subject teaching credential requirements in Section 44259 or the special education credential requirements described in Section 44265. The commission shall determine the area of concentration for the California education specialist credential based on the special education program completed out of country.

(2) The teacher successfully completes a criminal background check conducted pursuant to Sections 44339, 44340, and 44341 for credentialing purposes.

(c) The commission shall issue a clear multiple subject, single subject, or education specialist teaching credential to a teacher prepared in a country other than the United States who has met the requirements in subdivision (b) and who meets the following requirements:

(1) Demonstration of subject matter competence pursuant to paragraph (5) of subdivision (b) of Section 44259.

(2) Completion of a course, or for multiple subject and education specialist credentials, a course or an examination, on the various methods of teaching reading pursuant to paragraph (4) of subdivision (b) of Section 44259. Completion of coursework in another state or country determined

by the commission to be comparable and equivalent shall meet this requirement.

(3) Completion of a course or examination on the provisions and principles of the United States Constitution pursuant to paragraph (6) of subdivision (b) of Section 44259. Completion of coursework in another state or country determined by the commission to be comparable and equivalent shall meet this requirement.

(4) Completion of the study of health education pursuant to paragraph (3) of subdivision (b) of Section 44259. Completion of coursework in another state or country determined by the commission to be comparable and equivalent shall meet this requirement.

(5) With the exception of the education specialist credential, completion of study and field experience in methods of delivering appropriate educational services to pupils with exceptional needs in regular education programs. Completion of coursework in another state or country determined by the commission to be comparable and equivalent shall meet this requirement.

(6) Completion of the study of computer-based technology through demonstration by course or examination of basic competence in the use of computers in the classroom, and study of advanced computer-based technology, including the uses of technology in educational settings pursuant to paragraph (3) of subdivision (b) of Section 44259. Completion of coursework in another state or country determined by the commission as comparable and equivalent shall meet this requirement.

(7) Completion of a beginning teacher induction program pursuant to paragraph (2) of subdivision (c) of Section 44259.

(d) (1) A teacher holding a specialist credential pursuant to this section shall complete the requirements for nonspecial education pedagogy and a supervised field experience program in general education pursuant to Section 44265.

(2) A teacher holding a specialist credential pursuant to this section shall complete a program for the Professional Level II credential accredited by the commission.

(e) Notwithstanding subdivisions (b) to (d), inclusive, the commission shall issue a multiple subject, single subject, or education specialist teaching credential to a teacher prepared in a country other than the United States who has earned a valid corresponding elementary, secondary, or special education teaching credential in another state and who meets the requirements set forth in Section 44274.2. A corresponding elementary, secondary, or special education teaching credential earned in another state shall be deemed to satisfy the teacher preparation program requirements specified in paragraph (2) of subdivision (a) of Section 44274.2.

SEC. 36. Section 44300 of the Education Code is amended to read:

44300. (a) Commencing January 1, 1990, the commission may issue or renew emergency teaching or specialist permits in accordance with regulations adopted by the commission corresponding to the credential types

specified in subparagraphs (A), (B), and (C) of paragraph (1) of subdivision (b) of Section 44225, provided that all of the following conditions are met:

(1) The applicant possesses a baccalaureate degree conferred by a regionally accredited institution of higher education and has fulfilled the subject matter requirements of Section 44301.

(2) The commission approves the justification for the emergency permit submitted by the school district in which the applicant is to be employed. The justification shall include all of the following:

(A) Annual documentation that the district has implemented in policy and practices a process for conducting a diligent search that shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, and participating in job fairs in this state, but has been unable to recruit a sufficient number of certificated teachers, including teacher candidates pursuing full certification through internship, district internship, or other alternative routes established by the commission.

(B) A declaration of need for fully qualified educators based on the documentation set forth in subparagraph (A) and made in the form of a motion adopted by the governing board of the school district or the county board of education at a regularly scheduled meeting of the governing board or the county board of education. The motion may not be part of the consent agenda and shall be entered in the minutes of the meeting.

(b) The commission may deny a request for an emergency permit that does not meet the justification set forth in subparagraph (A) of paragraph (2) of subdivision (a).

(c) It is the intent of the Legislature that the commission continue to issue emergency teaching permits to individuals employed by school districts defined in regulations as remote from regionally accredited institutions of higher education.

(d) The commission may issue and reissue emergency permits corresponding to the credential types specified in subparagraph (D) of paragraph (1) of subdivision (b) of Section 44225. The commission shall establish appropriate standards for each type of emergency permit specified in subparagraph (D) of paragraph (1) of subdivision (b) of Section 44225.

(e) The exclusive representative of certificated employees, if any, as provided under Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, may submit a written statement to the commission agreeing or disagreeing with the justification submitted to the commission pursuant to paragraph (2) of subdivision (a).

(f) A person holding an emergency teaching or specialist permit shall attend an orientation to the curriculum and to techniques of instruction and classroom management, and shall teach only with the assistance and guidance of a certificated employee of the district who has completed at least three years of full-time teaching experience, or the equivalent thereof. It is the intent of the Legislature to encourage districts to provide directed teaching experience to new emergency permitholders with no prior teaching experience.

(g) The holder of an emergency permit shall participate in ongoing training, coursework, or seminars designed to prepare the individual to become a fully credentialed teacher or other educator in the subject area or areas in which the individual is assigned to teach or serve. The employing agency shall verify that employees applying to renew their emergency permits are meeting these ongoing training requirements.

(h) Emergency permits for pupil personnel services shall not be valid for the purpose of determining pupil eligibility for placement in a special education class or program.

(i) This section shall not apply to the issuance of an emergency substitute teaching permit, or of an emergency permit to a teacher who has consented to teach temporarily outside of their field of certification, for which the commission shall establish minimum requirements.

(j) The commission may issue a one-year emergency specialist teaching permit in early childhood education that authorizes teaching all subjects in a self-contained transitional kindergarten general education classroom, as defined in Section 48000, provided that all of the following conditions are met:

(1) The applicant possesses a baccalaureate or higher degree conferred by a regionally accredited institution of higher education and holds a valid commission-issued child development permit at the teacher or higher level.

(2) The applicant satisfies the subject matter requirement by one of the following options:

(A) Commencing July 1, 2022, completes 24 semester units of coursework in child development or early childhood education at a regionally accredited institution of higher education.

(B) Commencing July 1, 2022, holds a baccalaureate or higher degree conferred by a regionally accredited institution of higher education where the major is in child development, or early childhood education, or a similar major.

(C) Commencing July 1, 2023, has three or more years of full-time teaching experience in a transitional kindergarten setting, or preschool age early childhood or child development program, or a combination thereof. Experience may include, but shall not be limited to, teaching experience in a public or private preschool or transitional kindergarten setting, Head Start program, or state-funded preschool program. For the purposes of this subparagraph, “teaching” shall mean the lead or primary classroom teacher, and not teaching done in support of another lead or primary classroom teacher.

(3) The commission approves the justification for the emergency permit submitted by the local employing agency in which the applicant is to be employed. The justification shall include all of the following:

(A) Annual documentation that the local employing agency has implemented in policy and practices a process for conducting a diligent search that shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers or online webpages, and participating in

job fairs in this state, but has been unable to recruit a sufficient number of certificated teachers, including teacher candidates pursuing full certification through internship, district internship, or other alternative routes established by the commission.

(B) A declaration of need for fully qualified educators based on the documentation set forth in subparagraph (A) and made in the form of a motion adopted by the governing body of the charter school, the governing board of the school district, or the county board of education at a regularly scheduled meeting of the governing body or board or the county board of education. The motion may not be part of the consent agenda and shall be entered in the minutes of the meeting.

(C) (i) Verification that the employing charter school, school district, or county shall provide the required orientation, mentoring, and support to the applicant.

(ii) The local employing agency shall report to the governing body of the charter school, the governing board of the school district, or the county board of education at a regularly scheduled meeting of the governing body or board or the county board of education on the required orientation, mentoring and support provided to the applicants.

(k) The commission may renew an emergency specialist teaching permit in early childhood education for one additional year, provided all of the following conditions are met:

(1) The applicant verifies current enrollment in a commission-approved teacher preparation program that will result in a credential authorizing teaching transitional kindergarten.

(2) The local employing agency submits a subsequent declaration of need for fully qualified educators based on the documentation set forth in subparagraph (A) of paragraph (3) of subdivision (j) made in the form of a motion adopted by the governing body of the charter school, the governing body of the school district, or the county board of education at a regularly scheduled meeting of the governing body or board or the county board of education. The motion may not be part of the consent agenda and shall be entered in the minutes of the meeting.

(3) The local employing agency verifies that the applicant continues to successfully serve in the assignment on the basis of the emergency permit.

(4) (A) The local employing agency verifies that continued orientation, mentoring, and support shall be provided to the applicant.

(B) The local employing agency shall report to the governing body of the charter school, the governing board of the school district, or the county board of education at a regularly scheduled meeting of the governing body or board or the county board of education on the required orientation, mentoring, and support provided to the applicant.

SEC. 37. Section 44310 of the Education Code is amended to read:

44310. (a) The commission shall waive the subject matter examination requirement for graduates of a regionally accredited institution of higher education who successfully do any of the following:

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

(2) (A) Complete coursework at one or more regionally accredited institutions of higher education that addresses each of the domains of the subject matter requirements adopted by the commission in the content area of the credential pursuant to Section 44282.

(B) A program of professional preparation shall have the authority to review transcripts supplied by a candidate and confirm that each domain's broad content area has been addressed.

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

(b) The commission shall encourage through its accreditation system that programs of professional preparation provide candidates equitable access to all of the options in paragraph (5) of subdivision (b) of Section 44259 for meeting subject matter competence.

SEC. 38. Section 44468 of the Education Code is amended to read:

44468. (a) An internship program, established pursuant to Article 7.5 (commencing with Section 44325) of Chapter 2 or this article, that is accredited by the commission shall provide interns who meet entrance criteria and are accepted to a multiple subject teaching credential program, a PK-3 early childhood education specialist credential program, a single subject teaching credential program, or an education specialist credential program that provides instruction to individuals with mild to moderate disabilities the opportunity to choose an early program completion option, culminating in a five-year preliminary teaching credential. The early program completion option shall be made available to interns who meet the following requirements:

(1) Pass a written assessment that assesses knowledge of teaching foundations, is adopted for this purpose by the commission, and includes all of the following:

(A) Human development as it relates to teaching and learning aligned with the state content and performance standards for pupils adopted by the state board.

(B) Techniques to address learning differences including working with pupils with special needs.

(C) Techniques to address working with English learners to provide access to the curriculum.

(D) Reading instruction as set forth in paragraph (4) of subdivision (b) of Section 44259.

(E) The assessment of pupil progress based upon the state content and performance standards for pupils adopted by the state board and planning intervention based on the assessment.

(F) Classroom management techniques.

(G) Methods of teaching the subject fields.

(2) (A) Pass the teaching performance assessment as set forth in Section 44320.2.

(B) An intern participating in the early completion option may take the teaching performance assessment only one time as part of the early completion option. An intern who takes the teaching performance assessment but is not successful may complete the internship program. Scores on this assessment shall be used by the internship program in providing the individualized professional development plan for interns that emphasizes preparation in areas where additional growth is warranted and waiving preparation in areas where the candidate has demonstrated competence. The intern shall retake and pass the teaching performance assessment at the end of the internship in order to be considered for recommendation by the internship program to the commission.

(3) Until the commission ensures that an approved teaching performance assessment for a preliminary multiple subject credential, for a preliminary PK-3 early childhood education specialist credential, and for a preliminary education specialist credential assesses candidates for competence in instruction in literacy, as specified in Sections 44320.2 and 44320.3, as applicable, successfully pass a reading instruction competence assessment required by Section 44283, if required for the intern's credential.

(4) Meet the requirements for teacher fitness as set forth in Sections 44339, 44340, and 44341.

(b) An intern who elects to use the early completion option must first pass the assessment required pursuant to paragraph (1) of subdivision (a) in order to qualify to take the teaching performance assessment required pursuant to paragraph (2) of subdivision (a).

(c) An intern who passes the assessments described in subdivision (a) and is recommended by the internship program to the commission is eligible for a five-year preliminary multiple subject teaching credential, single subject teaching credential, PK-3 early childhood education specialist credential, or education specialist credential that authorizes instruction to individuals with mild to moderate disabilities.

(d) The commission shall issue a clear multiple subject teaching credential, a clear PK-3 early childhood education specialist credential, a clear education specialist credential, or single subject teaching credential to an applicant whose employing school district documents, in a manner prescribed by the commission, that the applicant has fulfilled both of the following requirements:

(1) Holds a preliminary five-year teaching credential issued by the commission.

(2) Completes a commission-approved teacher induction program.

SEC. 39. Section 44830 of the Education Code is amended to read:

44830. (a) The governing board of a school district shall employ for positions requiring certification qualifications, only persons who possess the qualifications for those positions prescribed by law. It is contrary to the public policy of this state for a person or persons charged, by the governing boards, with the responsibility of recommending persons for employment

by the boards to refuse or to fail to do so for reasons of race, color, religious creed, sex, or national origin of the applicants for that employment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(m) A person is deemed to have demonstrated basic skills proficiency if they possess a baccalaureate degree or higher degree from a regionally accredited institution of higher education.

SEC. 40. Section 44955.5 of the Education Code is amended to read:

44955.5. (a) During the time period between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which that Budget Act applies, if the governing board of a school district determines that its total local control funding formula apportionment per unit of average daily attendance for the fiscal year of that Budget Act has not increased by at least 2 percent, and if the governing board of a school district determines it is therefore necessary to decrease the number of permanent employees in the school district, the governing board of the school district may terminate the services of any permanent or probationary certificated employees of the school district, including employees holding a position that requires an administrative or supervisory credential. The termination shall be pursuant to Sections 44951 and 44955 but, notwithstanding anything to the contrary

in Sections 44951 and 44955, in accordance with a schedule of notice and hearing adopted by the governing board of the school district.

(b) This section is inoperative from July 1, 2002, to July 1, 2003, inclusive, and from July 1, 2011, to July 1, 2012, inclusive.

(c) (1) Except as provided in paragraph (2), this section is inoperative from July 1, 2020, to July 1, 2021, inclusive.

(2) Notwithstanding paragraph (1), from July 1, 2020, to July 1, 2021, inclusive, a certificated employee of a school district holding a position that requires an administrative or supervisory credential may be terminated pursuant to subdivision (a).

(d) This section is inoperative from July 1, 2024, to July 1, 2025, inclusive.

SEC. 41. Section 45125.1 of the Education Code is amended to read:

45125.1. (a) Any entity that has a contract with a local educational agency shall ensure that any employee who interacts with pupils, outside of the immediate supervision and control of the pupil's parent or guardian or a school employee, has a valid criminal records summary as described in Section 44237. When the contracting entity performs the criminal background check, it shall immediately provide any subsequent arrest and conviction information it receives to any local educational agency that it is contracting with pursuant to the subsequent arrest service.

(b) (1) This section does not apply to an entity providing services to a local educational agency, as described in subdivision (a), in an emergency or exceptional situation, such as when pupil health or safety is endangered or when repairs are needed to make school facilities safe and habitable.

(2) Notwithstanding subdivision (a), an employee of any entity that has a contract with a local educational agency, and that offers work experience opportunities for pupils, including, but not limited to, opportunities pursuant to Section 51760, 52336, 52372, 52410, or 52460, Article 1 (commencing with Section 52300), Article 5 (commencing with Section 52381), or Article 7 (commencing with Section 52450) of Chapter 9 of Part 28 of Division 4, Chapter 16.5 (commencing with Section 53070) of Part 28 of Division 4, Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4, or Part 54.5 (commencing with Section 88820) of Division 7 of Title 3, or workplace placements as part of a pupil's individualized education program, including, but not limited to, the services described in Article 3 (commencing with Section 56470) of Chapter 4.5 of Part 30 of Division 4, is not required to have a valid criminal records summary pursuant to subdivision (a) if all of the following requirements are met:

(A) At least one adult employee in the workplace during the pupil's work hours, who has direct contact with the pupil and has been designated by the employer as the employee of record who is responsible for the safety of the pupil, has a valid criminal records summary as described in Section 44237.

(B) A staff representative of the local educational agency makes visitations as specified in a pupil's individualized education program, or, if unspecified, at least once every three weeks to consult with the pupil's workplace liaison, observe the pupil at the workplace, and check in with

the pupil to ensure the pupil's health, safety, and welfare, including by addressing any concerns the pupil has raised.

(C) The parent or guardian of the pupil has signed a consent form regarding the pupil's work placement, attesting that the parent or guardian understands the duties assigned to the pupil and the nature of the workplace environment.

(3) If a pupil participates in services provided by a contractor as part of an independent study program and the pupil is under the immediate supervision and control of the pupil's parent or guardian during the provision of those services, the local educational agency shall do either of the following:

(A) Verify completion of a valid criminal records summary for all employees of the contractor who interact with the pupil.

(B) Ensure that the parent or guardian of the pupil has signed a consent form before the pupil's interaction with a person employed by the contractor, attesting that the parent or guardian understands that the person employed by the contractor has not completed a valid criminal records summary as described in Section 44237.

(c) On a case-by-case basis, a local educational agency may require an entity with whom it has a contract to comply with the requirements of this section for employees in addition to those described in subdivision (a). The entity shall prepare and submit those employee's fingerprints to the Department of Justice, as described in subdivision (a).

(d) (1) The Department of Justice shall ascertain whether the individual whose fingerprints were submitted to it pursuant to subdivision (a), (c), or (h) has been arrested or convicted of any crime insofar as that fact can be ascertained from information available to the Department of Justice. Upon implementation of an electronic fingerprinting system with terminals located statewide and managed by the Department of Justice, the Department of Justice shall ascertain the information required pursuant to this section within three working days. When the Department of Justice ascertains that an individual whose fingerprints were submitted to it pursuant to subdivision (a), (c), or (h) has a pending criminal proceeding for a felony as defined in Section 45122.1 or has been convicted of a felony as defined in Section 45122.1, the Department of Justice shall notify the employer designated by the individual of that fact. The notification shall be delivered by telephone or email to the employer.

(2) The Department of Justice, at its discretion, may notify the local educational agencies in instances when the employee is defined as having a pending criminal proceeding described in Section 45122.1 or has been convicted of a felony as defined in Section 45122.1.

(3) The Department of Justice shall forward one copy of the fingerprints to the Federal Bureau of Investigation to verify any record of previous arrests or convictions of the applicant. The Department of Justice shall review the criminal record summary it obtains from the Federal Bureau of Investigation and shall notify the employer only as to whether or not an applicant has any convictions or arrests pending adjudication for offenses that, if committed

in California, would have been punishable as a violent or serious felony. The Department of Justice shall not provide any specific offense information received from the Federal Bureau of Investigation. The Department of Justice shall provide written notification to the contract employer only concerning whether an applicant for employment has any conviction or arrest pending final adjudication for any of those crimes, as specified in Section 45122.1, but shall not provide any information identifying any offense for which an existing employee was convicted or has an arrest pending final adjudication.

(e) (1) An entity having a contract as described in subdivision (a) or that is required to comply with this section for other employees pursuant to subdivision (c) shall not permit an employee to interact with pupils until the Department of Justice has ascertained that the employee has not been convicted of a felony as defined in Section 45122.1.

(2) The prohibition in paragraph (1) does not apply to an employee solely on the basis that the employee has been convicted of a felony if the employee has obtained a certificate of rehabilitation and pardon pursuant to Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code.

(3) The prohibition in paragraph (1) does not apply to an employee solely on the basis that the employee has been convicted of a serious felony that is not also a violent felony if that employee can prove to the sentencing court of the offense in question, by clear and convincing evidence, that the employee has been rehabilitated for the purposes of schoolsite employment for at least one year. If the offense in question occurred outside this state, then the person may seek a finding of rehabilitation from the court in the local educational agency in which the employee is a resident.

(f) An entity having a contract as described in subdivision (a) or that is required to comply with this section for other employees pursuant to subdivision (c) shall certify in writing to the local educational agency that neither the employer nor any of its employees who are required by this section to submit or have their fingerprints submitted to the Department of Justice and who may interact with pupils have been convicted of a felony as defined in Section 45122.1.

(g) Where reasonable access to the statewide electronic fingerprinting network is available, the Department of Justice may mandate electronic submission of the fingerprint cards and other information required by this section.

(h) (1) For purposes of this section, an individual operating as a sole proprietor of an entity that has a contract with a local educational agency, as described in subdivision (a), shall be considered an employee of that entity.

(2) To protect the safety of any pupil that may interact with an employee of an entity that is a sole proprietorship and has a contract as described in subdivision (a) or that is required to comply with this section for other employees pursuant to subdivision (c), a local educational agency shall

prepare and submit the employee's fingerprints to the Department of Justice, as described in subdivision (a).

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

SEC. 42. Section 46010 of the Education Code is amended to read:

46010. (a) The total days of attendance of a pupil in the schools and classes maintained by a school district, or schools or classes maintained by the county superintendent of schools, during the fiscal year shall be the number of days school was actually taught for not less than the minimum schooldays during the fiscal year less the sum of the pupil's absences.

(b) A charter school that serves pupils pursuant to Section 47612.1 shall not participate in an attendance recovery program pursuant to Article 9 (commencing with Section 46210) of Chapter 2.

SEC. 43. Section 46111 of the Education Code is amended to read:

46111. (a) (1) A pupil in a kindergarten shall not be kept in school in any day more than four hours excluding recesses except for pupils in Early Primary Programs, as set forth in Chapter 8 (commencing with Section 8970) of Part 6 of Division 1 of Title 1, kindergarten pupils in expanded learning opportunity programs intended to supplement instructional time provided by a school district pursuant to Section 46120, and pupils participating in an attendance recovery program pursuant to Article 9 (commencing with Section 46210).

(2) A pupil in a kindergarten in a school operating on a program of multitrack year-round scheduling pursuant to subdivision (a) of Section 37670 may be kept in school on any day for 265 minutes of instruction, excluding recesses.

(b) This section shall not apply to the Pasadena Unified School District or counties of the third class as determined pursuant to Section 28024 of the Government Code, as it read on January 1, 1977.

(c) This section shall not apply to the San Bernardino Unified School District with regard to any pupil of that district who is determined by the principal of the school in which that pupil is enrolled, pursuant to testing, teacher recommendation, or both, to be developmentally and academically suited for the longer instructional day.

SEC. 44. Section 46120 of the Education Code is amended to read:

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

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

(b) (1) For the 2021–22 and 2022–23 school years, local educational agencies that receive funds pursuant to subdivision (d) shall offer to at least all unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, and provide to at least 50 percent of enrolled unduplicated pupils in classroom-based instructional programs in kindergarten and grades 1 to 6, inclusive, access to expanded learning opportunity programs. Funding received pursuant to this section for the

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

(A) On schooldays, as described in Section 46100 and Sections 46110 to 46119, inclusive, and days on which school is taught for the purpose of meeting the 180-instructional-day offering as described in Section 46208 for school districts and the 175-instructional-day offering as described in Section 11960 of Title 5 of the California Code of Regulations for charter schools, in-person before or after school expanded learning opportunities that, when added to daily instructional minutes, recess, and meals, are no fewer than nine hours of combined instructional time, recess, meals, and expanded learning opportunities per instructional day.

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

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

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

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

(A) The department's guidance.

(B) Section 8482.6.

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

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

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

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

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

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

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

(8) Local educational agencies may provide up to three days of staff development during regular expanded learning opportunity program hours.

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

(10) (A) An expanded learning opportunity program shall not be required to comply with the requirements of Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 or the requirements set forth in Chapter 19 of Division 1 of Title 5 of the California Code of Regulations.

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

(C) Notwithstanding subparagraph (B), an expanded learning opportunity program operated by a third party that holds a child daycare facility license or special permit pursuant to Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code, as of June 1, 2023, shall maintain that license or permit capacity as a requirement of contracting pursuant to this section until June 30, 2024. An expanded learning opportunity program shall not receive any additional funding pursuant to this subparagraph.

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

(c) (1) Commencing with the 2023–24 fiscal year, a local educational agency shall be subject to the audit conducted pursuant to Section 41020 to determine compliance with subdivision (b).

(2) Commencing with the 2023–24 fiscal year, if a local educational agency either fails to offer or provide access to expanded learning opportunity programs to eligible pupils pursuant to paragraph (1) of subdivision (b), the Superintendent shall withhold from the local educational agency's apportionment of funds pursuant to subdivision (d) an amount proportionate to the number of pupils to whom the local educational agency failed to offer or provide access to expanded learning opportunity programs. Pupils opting not to participate in the expanded learning opportunity program shall not generate a penalty for a local educational agency pursuant to this paragraph.

(3) (A) Commencing with the 2023–24 fiscal year, if a school district fails to maintain the required number of days or hours described in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (b), the Superintendent shall withhold from the school district's apportionment of funds pursuant to subdivision (d), as adjusted pursuant to paragraph (2), an amount equal to the product of 0.0048 times the school district's

apportionment for each day the school district fails to meet the day or hour requirements.

(B) Commencing with the 2023–24 fiscal year, if a charter school fails to maintain the required number of days or hours described in subparagraphs (A) to (C), inclusive, of paragraph (1) of subdivision (b), the Superintendent shall withhold from the charter school's apportionment of funds pursuant to subdivision (d), as adjusted pursuant to paragraph (2), an amount equal to the product of 0.0049 times the charter school's apportionment for each day the charter school fails to meet the day or hour requirements.

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

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

(B) Commencing with the 2022–23 fiscal year, for local educational agencies with a prior fiscal year local control funding formula unduplicated pupil percentage calculated pursuant to paragraph (5) of subdivision (b) of Section 42238.02 of equal to or greater than 75 percent, the amount of two thousand seven hundred fifty dollars (\$2,750) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

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

(2) A local educational agency with prior year classroom-based average daily attendance in kindergarten and grades 1 to 6, inclusive, shall not receive

funding pursuant to paragraph (1) of less than fifty thousand dollars (\$50,000).

(3) Funds provided to a local educational agency pursuant to paragraph (1) shall be used to support pupil access to expanded learning opportunity programs, which may include, but is not limited to, hiring literacy coaches, high-dosage tutors, school counselors, and instructional day teachers and aides to assist pupils as part of the local educational agency's program enrichment activities. Those funds may also be used to support attendance recovery pursuant to Article 9 (commencing with Section 46210) when attendance recovery is operated by a local educational agency in conjunction with, and on the same schoolsite as, its expanded learning opportunities program.

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

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

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

(B) (i) For the 2024–25 fiscal year, funds returned pursuant to subparagraph (A) shall be added to the amount of funds remaining from the appropriations in the calculation of the rate pursuant to subparagraph (C) of paragraph (1), and be expended consistent with paragraphs (9) and (10), up to the amount sufficient to provide the amount of two thousand dollars (\$2,000) per unit of the local educational agency's prior fiscal year second period reported kindergarten and grades 1 to 6, inclusive, classroom-based average daily attendance multiplied by the local educational agency's unduplicated pupil percentage. Prior fiscal year average daily attendance and unduplicated pupil percentage shall be considered final as of the second principal apportionment for that fiscal year.

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

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

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

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

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

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

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

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

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

(8) (A) Beginning with the 2022–23 fiscal year, the department may allocate up to five million dollars (\$5,000,000) of moneys appropriated for purposes of this subdivision to county offices of education to provide

technical assistance, evaluation, and training services to support program improvement, in coordination with activities described in Section 8483.55. County offices of education already providing technical assistance pursuant to Section 8483.55 shall be prioritized to receive these funds.

(B) Training and support shall include, but is not limited to, supporting local educational agencies with leveraging multiple funding initiatives to support expanded learning, including, but not limited to, community schools, school meal programs, and California state preschool programs.

(9) Commencing with the 2023–24 fiscal year, any funds allocated pursuant to subparagraphs (B) and (C) of paragraph (1) shall be expended by June 30 of the fiscal year following the fiscal year in which the appropriation is made. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

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

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

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

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

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

(1) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during the fiscal year, and how many pupils are provided access to these programs.

(2) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site during nonschooldays, and how many pupils are provided access to these programs.

(3) The number of expanded learning providers who are operating an expanded learning opportunity program for pupils enrolled in transitional kindergarten and kindergarten on a nonlocal educational agency site in the 2023–24 and 2024–25 fiscal years who are also licensed by the State Department of Social Services for purposes of community care licensing, the type of programs that are licensed by the State Department of Social Services for purposes of community care licensing, and how many pupils are provided access to their programs.

(4) A list of local educational agencies that contract with third-party providers that provide access to pupils on a nonlocal educational agency site during the fiscal year, how many contractors they work with, and the number of pupils provided access to these programs, by grade.

(5) A list of local educational agencies that contract with third-party providers that provide access to pupils on a nonlocal educational agency site during nonschooldays, how many contractors they work with, and the number of pupils provided access to these programs, by grade.

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

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

(2) “Frontier designated geographic location” means a schoolsite in an area that has a population density of fewer than 11 persons per square mile.

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

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

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

(6) “Provide access,” with respect to an “expanded learning opportunity program,” means to enroll in the expanded learning opportunity program. If a parent or guardian has a signed expanded learning opportunity program registration form and that form is on file, the pupil shall be considered enrolled in the expanded learning opportunity program. For a local educational agency receiving an expanded learning opportunity program apportionment, transportation shall be provided for any pupil who attends

a school that is not operating an expanded learning opportunity program to attend a location that is providing an expanded learning opportunity program and to return to their original location or another location that is established by the local educational agency.

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

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

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

SEC. 45. Article 9 (commencing with Section 46210) is added to Chapter 2 of Part 26 of Division 4 of Title 2 of the Education Code, to read:

Article 9. Attendance Recovery Programs

46210. (a) (1) It is the intent of the Legislature to support local educational agencies in conducting evidence-based activities to address chronic absenteeism and loss of attendance due to emergency events. These activities may include, but are not limited to, all of the following:

(A) Establishing a community school model, as described in Section 8901.

(B) Implementing activities or programs to improve attendance and reduce chronic absenteeism, including, but not limited to, early warning systems or early intervention programs.

(C) Implementing restorative practices, restorative justice models, or other programs to improve retention rates, reduce suspensions and other school removals, and reduce the referral of pupils to law enforcement agencies.

(D) Implementing activities that advance social-emotional learning, positive behavior interventions and supports, culturally responsive practices, and trauma-informed strategies.

(E) Establishing partnerships with community-based organizations or other relevant entities to support the implementation of evidence-based, nonpunitive approaches to further the goals of the program.

(F) Adding or increasing staff within a local educational agency whose primary purpose is to address ongoing chronic attendance problems, including, but not necessarily limited to, conducting outreach to families and children currently, or at risk of becoming, chronically truant.

(2) The Legislature also finds and declares that opportunities for attendance recovery increase pupil access to instructional time and content that otherwise might not be made available to them, and provide local educational agencies with the ability to recover funding dependent upon pupil attendance. It is the intent of the Legislature that local educational agencies implement evidence-based strategies to address absenteeism and leverage innovation to improve pupil attendance and increase instructional time, especially for more vulnerable and high-needs pupil populations.

(3) The Legislature also finds and declares that access to instruction as part of a regular instructional program is the preferred method of learning for pupils, and the availability of attendance recovery should not discourage local educational agencies that regularly experience school closures from maintaining school calendars of greater than 180 days for school districts and 175 days for charter schools to maximize instruction in a regular instructional program.

(b) (1) It is the intent of the Legislature that, in implementing attendance recovery programs, local educational agencies maintain the same high expectations for pupils participating in regular instructional programs. It is further the intent of the Legislature that a pupil in an attendance recovery program will receive instruction that aligns with grade-level standards that are substantially equivalent to a pupil's regular classroom-based instructional program.

(2) It is further the intent of the Legislature that the operation of attendance recovery programs does not negatively impact implementation of expanded learning programs, which are designed to improve pupil engagement and regular schoolday attendance, including before- and after-school programs and intersessional programs operated pursuant to Section 46120 and Article 19 (commencing with Section 8420) of, Article 22.5 (commencing with Section 8482) of, and Article 22.6 (commencing with Section 8484.7) of, Chapter 2 of Part 6 of Division 1 of Title 1. It is the intent of the Legislature that when attendance recovery programs are operated in conjunction with expanded learning programs to achieve fiscal efficiencies, fiscal impacts to expanded learning programs are minimized and pupil access to expanded learning programs are expanded. Local educational agencies are encouraged to offer expanding learning programs to chronically absent pupils as an attendance reengagement strategy.

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

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

the attendance recovery program is operated and the local educational agency in which the pupil is enrolled.

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

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

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

(2) The attendance generated in an attendance recovery program shall be applied to the schoolday in which the pupil was absent for the purposes of generating attendance pursuant to Sections 46010 and 46010.3 for school districts and county offices of education, and Section 47612 of this code and Section 11960 of Title 5 of the California Code of Regulations for charter schools.

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

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

(e) (1) Notwithstanding Sections 46112, 46113, 46114, 46117, 46141, 46142, 46146, 46148, 46146.5, 46170, 46180, 48645.3, and 48663, pupils participating in an attendance recovery program operating pursuant to this section may generate average daily attendance. Average daily attendance earned through a pupil's participation in an attendance recovery program may be generated in increments of one hour, as documented by the teacher of each attendance recovery classroom described in subdivision (g) and maintained by the local educational agency. A pupil shall be credited with a full day of attendance once the amount of time that a pupil participates in an attendance recovery program meets the applicable minimum daily minutes

requirements pursuant to Article 2 (commencing with Section 46110) and Article 3 (commencing with Section 46140), including the minimum schoolday for a pupil with an individualized education program pursuant to Section 46307, up to the limits established in subdivision (d).

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

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

(f) As a condition of generating average daily attendance, an attendance recovery program shall be composed of pupils engaged in educational activities that align to grade level standards and that are substantially equivalent to the pupils' regular instructional program, which may include one-on-one or small group tutoring, and shall be under the immediate supervision and control of a certificated employee of the local educational agency who possesses a valid certification document, registered as required by law. Class sizes and pupil-to-teacher ratios for attendance recovery programs of any grade level shall not exceed those identified in subparagraph (D) of paragraph (2) of subdivision (b) of Section 46120, pursuant to attendance records maintained by the local educational agency.

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

(2) (A) For school districts, a pupil is enrolled in a nonclassroom-based program for purposes of this subdivision if the pupil meets the minimum day requirements for independent study and is continually enrolled in independent study for more than 14 schooldays in a school year.

(B) For charter schools, a pupil is enrolled in a nonclassroom-based program for purposes of this subdivision if the pupil is continually enrolled in independent study for more than 14 schooldays on any of the days on which school is taught for the purpose of meeting the requirement to offer 175 instructional days, as described in Section 11960 of Title 5 of the California Code of Regulations.

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

(i) (1) In consultation with the executive director of the state board, the department shall research local pupil information systems to identify

opportunities for local educational agencies to collect and report to the state more nuanced data about the reasons for pupil absences.

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

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

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

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

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

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

(j) Commencing with the 2025–26 fiscal year Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting, the Controller shall incorporate verification of compliance with the requirements specified in subdivisions (d) to (h), inclusive, including loss of apportionment for an attendance recovery program pursuant to this article for local educational agencies found to be noncompliant.

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

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

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

SEC. 46. Section 46300 of the Education Code is amended to read:

46300. (a) In computing average daily attendance of a school district or county office of education, there shall be included the attendance of pupils while engaged in educational activities required of those pupils and under the immediate supervision and control of an employee of the district or county office who possessed a valid certification document, registered as required by law.

(b) (1) For purposes of a work experience education program in a secondary school that meets the standards of the California State Plan for Career Technical Education, “immediate supervision,” in the context of off-campus work training stations, means pupil participation in on-the-job training as outlined under a training agreement, coordinated by the school

district under a state-approved plan, wherein the employer and certificated school personnel share the responsibility for on-the-job supervision.

(2) The pupil-teacher ratio in a work experience program shall not exceed 125 pupils per full-time equivalent certificated teacher coordinator. This ratio may be waived by the state board pursuant to Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 of Division 2 under criteria developed by the state board.

(3) A pupil enrolled in a work experience program shall not be credited with more than one day of attendance per calendar day, and shall be a full-time pupil enrolled in regular classes that meet the requirements of Section 46141 or 46144.

(c) (1) For purposes of the rehabilitative schools, classes, or programs described in Section 48917 that require immediate supervision, “immediate supervision” means that the person to whom the pupil is required to report for training, counseling, tutoring, or other prescribed activity shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the district.

(2) A pupil enrolled in a rehabilitative school, class, or program shall not be credited with more than one day of attendance per calendar day.

(d) (1) For purposes of computing the average daily attendance of pupils engaged in the educational activities required of high school pupils who are also enrolled in a regional occupational center or regional occupational program, the school district shall receive proportional average daily attendance credit for those educational activities that are less than the minimum schoolday, pursuant to regulations adopted by the state board; however, none of that attendance shall be counted for purposes of computing attendance pursuant to Section 52324.

(2) A school district shall not receive proportional average daily attendance credit pursuant to this subdivision for a pupil in attendance for less than 145 minutes each day.

(3) The divisor for computing proportional average daily attendance pursuant to this subdivision is 240, except that, in the case of a pupil excused from physical education classes pursuant to Section 52316, the divisor is 180.

(4) Notwithstanding any other law, travel time of pupils to attend a regional occupational center or regional occupational program shall not be used in any manner in the computation of average daily attendance.

(e) (1) In computing the average daily attendance of a school district, there shall also be included the attendance of pupils participating in independent study conducted pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28.

(2) A pupil participating in independent study shall not be credited with more than one day of attendance per calendar day.

(f) For purposes of cooperative career technical education programs and community classrooms described in Section 52372.1, “immediate supervision” means pupil participation in paid and unpaid on-the-job experiences, as outlined under a training agreement and individualized

training plans wherein the supervisor of the training site and certificated school personnel share the responsibility for the supervision of on-the-job experiences.

(g) (1) In computing the average daily attendance of a school district or charter school, there shall be included the attendance of pupils in kindergarten after they have completed one school year in kindergarten or pupils in a transitional kindergarten program after they have completed one year in that program if one of the following conditions is met:

(A) The school district or charter school has on file for each of those pupils an agreement made pursuant to Section 48011, approved in form and content by the department and signed by the pupil's parent or guardian, that the pupil may continue in kindergarten for not more than one additional school year.

(B) The pupils participated in a transitional kindergarten program pursuant to subdivision (c) of Section 48000.

(2) A school district or charter school may not include for apportionment purposes the attendance of any pupil for more than two years in kindergarten or for more than two years in a combination of transitional kindergarten and kindergarten.

SEC. 47. Section 46393 of the Education Code is amended to read:

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

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

(b) For affidavits submitted to the Superintendent for events occurring after September 1, 2021, but on or before June 30, 2025, that resulted in a school closure or material decrease in attendance, a school district, county office of education, or charter school that provides an affidavit to the

Superintendent, pursuant to Section 41422 or 46392, shall certify that it has a plan for which independent study will be offered to pupils, pursuant to Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 of Division 4. The plan shall comply with all of the following:

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

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

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

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

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

(e) (1) For affidavits submitted to the Superintendent for events occurring on or after July 1, 2025, that result in a school closure or material decrease in attendance, a school district, county office of education, or charter school that provides an affidavit to the Superintendent, pursuant to Section 41422 or 46392, shall certify all of the following:

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

(B) Either of the following:

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

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

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

SEC. 48. Section 47606.5 of the Education Code is amended to read:

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

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

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

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

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

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

(e) (1) The charter school shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year as part of a nonconsent item at a regularly scheduled meeting of the governing body of the charter school.

(2) The report shall include both of the following:

(A) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(B) All available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

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

accountability plan shall be made available for public inspection at each site operated by the charter school.

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

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

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

SEC. 49. Section 47607.3 of the Education Code is amended to read:

47607.3. (a) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, and beginning with the 2020–21 school year, for any charter school for which one or more pupil subgroups identified pursuant to Section 52052 meet the criteria established pursuant to subdivision (g) of Section 52064.5 in two or more years, the county superintendent of schools in which the charter school is located shall provide technical assistance focused on building the charter school's capacity to develop and implement actions and services responsive to pupil and community needs, including, but not limited to, any of the following:

(1) Assisting the charter school to identify its strengths and weaknesses in regard to the state priorities applicable to the charter school pursuant to subdivision (c) of Section 47605. This shall include working collaboratively with the charter school to review performance data on the state and local indicators included in the California School Dashboard authorized by subdivision (f) of Section 52064.5 and other relevant local data, and to identify effective, evidence-based programs or practices that address any areas of weakness.

(2) Working collaboratively with the charter school to secure assistance from an academic, programmatic, or fiscal expert or team of experts to identify and implement effective programs and practices that are designed to improve performance in any areas of weakness identified by the charter school. The county superintendent of schools in which the charter school is located, in consultation with the charter school, may solicit another service provider, which may include, but is not limited to, a school district, county office of education, or charter school, to act as a partner to the charter school in need of technical assistance.

(3) Obtaining from the charter school timely documentation demonstrating that it has completed the activities described in paragraphs (1) and (2), or substantially similar activities, or has selected another service provider to work with the charter school to complete the activities described in paragraphs (1) and (2), or substantially similar activities, and ongoing communication with the chartering authority to assess the charter school's progress in improving pupil outcomes.

(b) (1) For purposes of this section, the geographic lead agency, as identified pursuant to Section 52073, or its designee, as identified in subdivision (d) of Section 52071, shall serve in the role of the county superintendent of schools for a charter school authorized by the county board of education.

(2) The geographic lead agency shall choose a designee to provide the technical assistance pursuant to subdivision (a) for any charter school for whom the geographic lead agency's county board of education is the chartering authority. The geographic lead agency shall contract with the designee using the funds allocated pursuant to Section 2575.3.

(c) If the charter school meets the criteria established for school districts under paragraph (1) of subdivision (b) of Section 52072, the county superintendent of schools in the county which the charter school is located may request assistance from the California Collaborative for Educational Excellence. The California Collaborative for Educational Excellence may, after consulting with the Superintendent, and with the approval of the state board, provide advice and assistance to the charter school pursuant to Section 52074.

(d) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (c) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(e) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school in determining whether to revoke the charter.

(f) A chartering authority shall comply with the hearing process described in subdivisions (g) and (h) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.

(g) If the governing body of a charter school requests technical assistance, the chartering authority shall provide technical assistance consistent with paragraph (1) or (2) of subdivision (a). If a charter school has not been identified for technical assistance pursuant to subdivision (a), the chartering authority may assess the charter school a fee not to exceed the cost of the service.

(h) A charter school shall accept the technical assistance provided pursuant to subdivision (a). For purposes of accepting technical assistance, a charter school may satisfy this requirement by providing the timely documentation to the county superintendent of schools of the county in which the charter school is located, and maintaining regular communication with the chartering authority.

(i) For a charter school that is eligible for alternate methods for calculating the state and local indicators pursuant to subdivision (d) of Section 52064.5, technical assistance provided pursuant to subdivision (a) shall take into account the charter school's performance on alternative metrics applicable to the charter school based on the pupil population served.

(j) This section shall not preclude a charter school from soliciting technical assistance from other entities at its own expense.

(k) For a charter school operating before July 1, 2020, subdivision (a) as it read on January 1, 2019, shall apply until June 30, 2022.

(l) The requirements of this section shall not be waived by the state board pursuant to Section 33050 or any other law.

SEC. 50. Section 48000 of the Education Code is amended to read:

48000. (a) A child shall be admitted to a kindergarten maintained by the school district at the beginning of a school year, or at a later time in the same year, if the child will have their fifth birthday on or before one of the following dates:

(1) December 2 of the 2011–12 school year.

(2) November 1 of the 2012–13 school year.

(3) October 1 of the 2013–14 school year.

(4) September 1 of the 2014–15 school year and each school year thereafter.

(b) The governing board of the school district of a school district maintaining one or more kindergartens may, on a case-by-case basis, admit to a kindergarten a child having attained the age of five years at any time during the school year with the approval of the parent or guardian, subject to the following conditions:

(1) The governing board of the school district determines that the admittance is in the best interests of the child.

(2) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

(c) (1) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, and Chapter 3 (commencing with Section 47610) of Part 26.8, as applicable, a school district or charter school shall ensure the following:

(A) In the 2012–13 school year, a child who will have their fifth birthday between November 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(B) In the 2013–14 school year, a child who will have their fifth birthday between October 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(C) From the 2014–15 school year to the 2021–22 school year, inclusive, a child who will have their fifth birthday between September 2 and December 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(D) In the 2022–23 school year, a child who will have their fifth birthday between September 2 and February 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(E) In the 2023–24 school year, a child who will have their fifth birthday between September 2 and April 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(F) In the 2024–25 school year, a child who will have their fifth birthday between September 2 and June 2 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(G) In the 2025–26 school year, and in each school year thereafter, a child who will have their fourth birthday by September 1 shall be admitted to a transitional kindergarten program maintained by the school district or charter school.

(2) (A) In any school year, a school district or charter school may, at any time during a school year, admit a child to a transitional kindergarten program who will have their fifth birthday after the date specified for the applicable year in subparagraphs (A) to (F), inclusive, of paragraph (1) but during that same school year, with the approval of the parent or guardian, subject to the following conditions:

(i) The governing board of the school district or the governing body of the charter school determines that the admittance is in the best interests of the child.

(ii) The parent or guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

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

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

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

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

(g) As a condition of receipt of apportionment for pupils in a transitional kindergarten program pursuant to Section 46300, a school district or charter school shall do all of the following:

(1) Maintain an average transitional kindergarten class enrollment of not more than 24 pupils for each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) “Class” means a group of pupils scheduled to report regularly at a particular time to a particular teacher during the regular schoolday, as defined by the governing board of the school district or the governing body of the charter school, as applicable, excluding special day classes. Classes in the evening and summer school class shall not be considered classes for purposes of this calculation.

(B) (i) “Active enrollment count” for purposes of subparagraph (C) means the count of all pupils enrolled in a class with transitional kindergarten pupils on the first day of the school year on which the class was in session, plus all later enrollees, minus all withdrawals since that first day. An active enrollment count shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) For school districts, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who meet the minimum day requirements for independent study and are continually enrolled in independent study for more than 14 schooldays in a school year.

(iii) For charter schools, active enrollment count shall not include pupils enrolled in independent study pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28 who are continually enrolled in independent study for more than 14 schooldays on any of the days on which school is taught for the purpose of meeting the 175-instructional-day offering, as described in Section 11960 of Title 5 of the California Code of Regulations.

(C) “Average number of pupils enrolled per class” means the quotient of the sum of the active enrollment counts made under subparagraph (B) divided by the total number of those active enrollment counts for each class of the schoolsite.

(D) “Average transitional kindergarten class enrollment” means the quotient of the sum of the average number of pupils enrolled per class determined pursuant to subparagraph (C) of all classes at the schoolsite divided by the total number of all classes at the schoolsite that include transitional kindergarten pupils, rounded to the nearest half or whole integer.

(2) Commencing with the 2022–23 school year, maintain an average of at least one adult for every 12 pupils for transitional kindergarten classrooms at each schoolsite. For purposes of this calculation, the following shall apply for each schoolsite of a school district or charter school:

(A) “Total transitional kindergarten enrollment” is the sum of the average number of pupils enrolled per class of all classes at the schoolsite, as determined in subparagraph (C) of paragraph (1).

(B) “Number of adults” shall be determined for each schoolsite as follows:

(i) A count of employees of the school district or charter school assigned to each class at the schoolsite that includes transitional kindergarten pupils

shall be made on the last teaching day of each school month that ends before April 15 of the school year.

(ii) The sum of all of the adult counts pursuant to clause (i) shall be divided by the total number of those counts, rounded to the nearest half or whole integer.

(C) “Adult-to-pupil ratio” shall be the quotient of the total transitional kindergarten enrollment divided by the total number of adults, rounded to the nearest half or whole integer.

(3) (A) Commencing with the 2025–26 school year, and for each year thereafter, maintain an average of at least one adult for every 10 pupils for transitional kindergarten classrooms.

(B) It is the intent of the Legislature to appropriate funds for purposes of this paragraph.

(4) Ensure that credentialed teachers who are first assigned to a transitional kindergarten classroom after July 1, 2015, have, by August 1, 2025, one of the following:

(A) At least 24 units in early childhood education, childhood development, or both.

(B) As determined and documented by the local educational agency employing the teacher, professional experience in a classroom setting with preschool age children meeting the criteria established by the governing board or body of the local educational agency that is comparable to the 24 units of education described in subparagraph (A).

(C) A child development teacher permit, or an early childhood education specialist credential, issued by the Commission on Teacher Credentialing.

(h) A school district or charter school may place four-year-old children, as defined in Section 8205, enrolled in a California state preschool program into a transitional kindergarten classroom. A school district or charter school that commingles children from both programs in the same classroom shall meet all of the requirements of the respective programs in which the children are enrolled, and the school district or charter school shall adhere to all of the following requirements, irrespective of the program in which the child is enrolled:

(1) An observation using the Classroom Assessment Scoring System (CLASS) tool and CLASS Environment tool shall be completed for the classroom.

(2) All children enrolled for 10 or more hours per week shall be evaluated using the Desired Results Developmental Profile, as specified in Section 17702 of Title 5 of the California Code of Regulations.

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

(4) The classroom shall be in compliance with the adult-child ratio specified in subdivision (c) of Section 8241.

(5) Contractors of a school district or charter school commingling children enrolled in the California state preschool program with children enrolled in

a transitional kindergarten program classroom shall report the services, revenues, and expenditures for the California state preschool program children in accordance with Section 18068 of Title 5 of the California Code of Regulations. Those contractors are not required to report services, revenues, and expenditures for the children in the transitional kindergarten program.

(i) Until July 1, 2019, a transitional kindergarten classroom that has in attendance children enrolled in a California state preschool program shall be licensed pursuant to Chapter 3.4 (commencing with Section 1596.70) of, and Chapter 3.5 (commencing with Section 1596.90) of, Division 2 of the Health and Safety Code.

(j) A school district or charter school that chooses to place California state preschool program children into a transitional kindergarten program classroom shall not also include children enrolled in transitional kindergarten for a second year or children enrolled in kindergarten in that classroom.

(k) A child's eligibility for transitional kindergarten enrollment under paragraph (1) or (2) of subdivision (c) shall not impact family eligibility for a preschool or childcare program, including, but not limited to, all of the following:

(1) A Head Start or Early Head Start program, as defined by the federal Head Start Act, as amended (42 U.S.C. Sec. 9801 et seq.).

(2) A childcare center, family childcare home, or license-exempt provider serving children through an alternative payment program pursuant to Chapter 3 (commencing with Section 10225) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(3) A migrant childcare and development program serving children pursuant to Chapter 6 (commencing with Section 10235) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(4) A childcare center or family childcare home educational network serving children through a California state preschool program pursuant to Article 2 (commencing with Section 8207) of Chapter 2 of Part 6 of Division 1 of Title 1.

(5) A childcare center, family childcare home, or license-exempt provider serving children through a general childcare and development program pursuant to Chapter 7 (commencing with Section 10240) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(6) A family childcare home educational network serving children pursuant to Chapter 8 (commencing with Section 10250) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(7) Childcare and development services for children with special needs pursuant to Chapter 9 (commencing with Section 10260) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(8) A program serving children through a CalWORKs Stage 1, Stage 2, or Stage 3 program pursuant to Chapter 21 (commencing with Section 10370) of Part 1.8 of Division 9 of the Welfare and Institutions Code.

(l) (1) The Superintendent shall authorize California state preschool program contracting agencies to offer less than four hours each instructional

day of wraparound childcare services within a part-day California state preschool program for children enrolled in an education program as a transitional kindergarten or kindergarten pupil, if their families meet the requirements of Section 8208.

(2) The Superintendent shall authorize California state preschool programs operating on a local education agency campus to operate a part-day California state preschool program that allows flexibility in the operational hours and enrollment cutoff dates to better align with the enrollment for the new school year.

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

SEC. 51. Section 48412 of the Education Code is amended to read:

48412. (a) (1) A person 16 years of age or older, or who has been enrolled in grade 10 for one school year or longer, or who will complete one school year of enrollment in grade 10 at the end of the semester during which the next regular examination will be conducted, may have their proficiency in basic skills taught in public high schools verified according to criteria established by the department.

(2) The state board shall award a “certificate of proficiency” to persons who demonstrate that proficiency. The certificate of proficiency shall be equivalent to a high school diploma, and the department shall keep a permanent record of the issuance of all certificates.

(b) (1) (A) The department shall develop standards of competency in basic skills taught in public high schools and shall provide for the administration of examinations prepared by or with the approval of the department to verify competency. Regular examinations shall be held at least once in the fall semester and at least once in the spring semester of every school year on dates, as determined by the department, that will enable notification of examinees and the schools they attend, if any, of the results of the examinations not later than two weeks before the date on which that semester ends in a majority of school districts that maintain high schools.

(B) For the 2020–21 school year, regular examinations shall be offered only if they can be administered in accordance with state and local public health orders, as determined by the Superintendent.

(2) In addition to regular examinations, the department may, at the discretion of the Superintendent, conduct examinations for all eligible persons at least once during each summer recess and may conduct examinations at any other time that the Superintendent deems necessary to accommodate eligible persons whose religious convictions or physical handicaps prevent their attending one of the regular examinations.

(c) (1) The department may charge a fee for each examination application in an amount sufficient to recover the costs of administering the requirements of this section. However, the fee shall not exceed an amount equal to the

cost of test renewal and administration per examination application. Pursuant to Section 16370 of the Government Code, there is hereby authorized in the State Treasury a Special Deposit Fund Account, which shall consist of fees that may be prescribed by this section. All of the fees collected are hereby appropriated, without regard to fiscal years, for the support of the department to be used pursuant to this section.

(2) The department shall not charge the fee to an examinee who meets all of the following criteria:

(A) The examinee qualifies as a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), or as a foster youth, as defined in subdivision (h).

(B) The examinee has not attained 25 years of age as of the date of the scheduled examination.

(C) For an examinee who qualifies as a homeless child or youth pursuant to subparagraph (A), the examinee can verify the examinee's status as a homeless child or youth. A homeless services provider that has knowledge of the examinee's housing status may verify the examinee's status for purposes of this subparagraph.

(3) For purposes of this subdivision, a "homeless services provider" includes either of the following:

(A) A homeless services provider listed in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code.

(B) Any other person or entity that is qualified to verify an individual's housing status, as determined by the department.

(4) The loss of fees pursuant to paragraph (2), if any, shall be deemed to be a cost of administering this section for purposes of paragraph (1).

(d) (1) The state board shall adopt rules and regulations as necessary for implementation of this section.

(2) Notwithstanding paragraph (1), the state board shall adopt emergency regulations, as necessary, to implement the provisions of subdivision (c), as amended by Chapter 384 of the Statutes of 2015. The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health, and safety, or general welfare.

(e) The department shall periodically review the effectiveness of the examinations administered pursuant to this section. The costs of this review may be recovered through the fees levied pursuant to subdivision (c).

(f) (1) On or before December 1, 2018, the Superintendent shall submit a report to the appropriate policy and fiscal committees of the Legislature that includes, but is not limited to, all of the following:

(A) The number of homeless youth and foster youth that took a high school proficiency test in each of the 2016, 2017, and 2018 calendar years.

(B) The impact of the opportunity to take a high school proficiency test at no cost on the number and percentage of homeless youth and foster youth taking a high school proficiency test.

(C) The estimated number of homeless youth and foster youth who may take a high school proficiency test in future years.

(D) Recommendations for a permanent funding source to cover the cost of the waived fees.

(E) The annual and projected administrative cost to the department.

(F) The annual and projected reimbursement to contractors pursuant to this section.

(2) The requirement for submitting a report imposed under paragraph (1) is inoperative on January 1, 2020, pursuant to Section 10231.5 of the Government Code.

(g) Additional state funds shall not be appropriated for purposes of implementing paragraph (2) of subdivision (c).

(h) For purposes of this section, a “foster youth” means any individual who meets or has ever met one of the following criteria:

(1) A child who was the subject of a petition filed pursuant to Section 300 of the Welfare and Institutions Code and removed from the child’s home by the juvenile court pursuant to Section 319 or 361 of the Welfare and Institutions Code.

(2) A child who was the subject of a petition filed pursuant to Section 602 of the Welfare and Institutions Code and removed from the child’s home by the juvenile court pursuant to Section 727 of the Welfare and Institutions Code.

SEC. 52. Section 48800 of the Education Code is amended to read:

48800. (a) The governing board of a school district may determine which pupils would benefit from advanced scholastic or vocational work. The intent of this section is to provide educational enrichment opportunities for a limited number of eligible pupils, rather than to reduce current course requirements of elementary and secondary schools, and also to help ensure a smoother transition from high school to college for pupils by providing them with greater exposure to the collegiate atmosphere. The governing board of a school district may authorize those pupils, upon recommendation of the principal of the pupil’s school of attendance, and with parental consent, to attend a community college during any session or term as special part-time or full-time students and to undertake one or more courses of instruction offered at the community college level.

(b) If the governing board of a school district denies a request for a special part-time or full-time enrollment at a community college for any session or term for a pupil who is identified as highly gifted, the governing board shall issue its written recommendation and the reasons for the denial within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled board meeting that falls at least 30 days after the request has been submitted.

(c) A pupil shall receive credit for community college courses that the pupil completes at the level determined appropriate by the governing boards of the school district and community college district. Using available funding apportioned to the community college district pursuant to Section 84750.4, the governing board of the community college district shall report the pupil’s

completed courses and grades received through eTranscript California, also referred to as “eTranscriptCA,” for purposes of enabling the uniform integration of the pupil’s completed courses and grades received into the pupil’s universal and electronic high school transcript that is housed on the CaliforniaColleges.edu platform.

(d) (1) The principal of a school may recommend a pupil for community college summer session only if that pupil meets both of the following criteria:

(A) Demonstrates adequate preparation in the discipline to be studied.

(B) Exhausts all opportunities to enroll in an equivalent course, if any, at the pupil’s school of attendance.

(2) For any particular grade level, a principal shall not recommend for community college summer session attendance more than 5 percent of the total number of pupils who completed that grade immediately before the time of recommendation.

(3) (A) Except as provided in subparagraph (B), a high school pupil recommended by the pupil’s principal for enrollment in a course shall not be included in the 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) if the course in which the pupil is enrolled is part of a College and Career Access Pathways (CCAP) program established pursuant to Section 76004 in which a majority of the pupils served are unduplicated pupils, as defined in Section 42238.02, the course meets one of the criteria listed in clauses (i) and (ii), and the high school principal who recommends the pupil for enrollment provides the Chancellor of the California Community Colleges, upon the request of that office, with the data required for purposes of paragraph (5).

(i) The course is a lower division, college-level course for credit that is designated as part of the Intersegmental General Education Transfer Curriculum or applies toward the general education breadth requirements of the California State University.

(ii) The course is a college-level, occupational course for credit assigned a priority code of “A,” “B,” or “C,” pursuant to the Student Accountability Model, as defined by the Chancellor of the California Community Colleges and reported in the management information system, and the course is part of a sequence of vocational or career technical education courses leading to a degree or certificate in the subject area covered by the sequence.

(B) The 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) shall apply to all physical education courses.

(4) (A) Except as provided in subparagraph (B), a high school pupil recommended by the pupil’s principal for enrollment in a course shall not be included in the 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) if the course in which the pupil is enrolled is either of the following:

(i) A lower division, college-level course for credit that is designated as part of the Intersegmental General Education Transfer Curriculum or applies toward the general education breadth requirements of the California State University.

(ii) A college-level, occupational course for credit assigned a priority code of “A,” “B,” or “C,” pursuant to the Student Accountability Model, as defined by the Chancellor of the California Community Colleges and reported in the management information system, and the course is part of a sequence of vocational or career technical education courses leading to a degree or certificate in the subject area covered by the sequence.

(B) The 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) shall apply to all physical education courses.

(5) On or before March 1 of each year, the Chancellor of the California Community Colleges shall report to the Department of Finance the number of pupils recommended pursuant to paragraphs (3) and (4) who enroll in community college summer session courses and who receive a passing grade. The information in this report may be submitted with the report required by subdivision (c) of Section 76002.

(6) The Board of Governors of the California Community Colleges shall not include enrollment growth attributable to paragraphs (3) and (4) as part of its annual budget request for the California Community Colleges.

(7) Notwithstanding Article 3 (commencing with Section 33050) of Chapter 1 of Part 20 of Division 2, compliance with this subdivision shall not be waived.

SEC. 53. Section 48857 of the Education Code is amended to read:

48857. (a) Pursuant to funding appropriated in Item 6100-135-0890 of the Budget Act of 2024, the department shall allocate up to two million five hundred thousand dollars (\$2,500,000) to up to three county offices of education in different regions throughout the state for purposes of sustaining and enhancing the operations of technical assistance centers to foster relationships between community partners and local educational agencies in each region, including integration with local educational agency grantees and their county and regional assistance providers under the California Community Schools Partnership Program. The department shall determine the county offices of education that will be designated technical assistance centers through a competitive process that provides each county office of education with the opportunity to apply to become a technical assistance center. In making this determination, the department shall take into account geographic diversity and concentrations of homeless children and youths and unaccompanied youths.

(b) A technical assistance center described in subdivision (a) shall prioritize providing regional support, resources, and expertise to homeless education liaisons to ensure that local educational agencies meet all of the requirements specified in Section 11432(g)(3) of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), which include, but are not limited to, all of the following responsibilities:

(1) Creating, and facilitating the implementation of, training materials that outline the needs and challenges of, and barriers facing, homeless children and youths, unaccompanied youths, and their families.

(2) Disseminating and providing technical assistance in implementing best practices, such as the scaling up of models of innovative practice, for

small, midsize, and large counties to support the educational progress and academic outcomes of homeless children and youths and unaccompanied youths.

(3) Assisting counties and local educational agencies in the process of ensuring accuracy in the identification of homeless children and youths and unaccompanied youths in local pupil information systems and using this data to report educational outcomes for homeless children and youths and unaccompanied youths who receive support services.

(4) Fostering relationships between community partners and local educational agencies in each region, including providing professional development and coaching opportunities to homeless liaisons to build capacity locally.

(5) Assisting the county offices of education homeless liaisons in providing targeted technical assistance to their local educational agencies that have been identified for technical assistance pursuant to Sections 47607.3, 52071, and 52071.5 for their homeless pupil group, which includes both of the following:

(A) Developing recommendations on optimizing existing funding streams to target and support homeless children and youth based on spending gaps between homeless children and youth and other high-need pupil subgroups, which includes additional funding intended for these pupils based on planned spending of local control funding formula allocations in local control and accountability plans.

(B) Assisting the county offices of education homeless liaisons in working collaboratively with their local educational agencies to utilize data reported through the California School Dashboard, on the department's internet website, and locally to assess outcomes and success of local educational agency homeless education programs, and providing guidance on implementing best practices, such as the scaling up of models of innovative practice, to improve academic and other performance outcomes for homeless children and youths.

(c) Technical assistance provided by a technical assistance center pursuant to this section shall be provided consistent with the statewide system of support established pursuant to Section 52059.5.

(d) Technical assistance centers shall report to the department detailing the allocation and utilization of funds, along with the impact of technical assistance center support on local educational agencies and homeless pupils.

(e) Technical assistance centers shall only be operative for the duration of the availability of funds from the American Rescue Plan Elementary and Secondary School Emergency Relief - Homeless Children and Youth Fund, established pursuant to Section 2001(b)(1) of the federal American Rescue Plan Act of 2021 (Public Law 117-2), estimated to end March 2026.

SEC. 54. Section 49056 of the Education Code is amended to read:

49056. (a) Commencing with the 2024–25 school year, all of the following shall apply to recess provided by a public elementary school:

(1) (A) Recess shall be at least 30 minutes on regular instructional days and at least 15 minutes on early release days and may be provided in one or more periods.

(B) The requirement pursuant to subparagraph (A) does not apply to days in which there is a field trip or other educational program.

(2) Recess shall be held outdoors whenever the weather and air quality permits. If outdoor space is not sufficient, recess may be held indoors.

(3) Recess shall comply with a pupil's individualized education program or pupil's plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794).

(4) (A) A public elementary school pupil shall not be denied recess by a member of the school's staff unless the pupil's participation poses an immediate threat to the physical safety of the pupil or to the physical safety of one or more of the pupil's peers.

(B) If a pupil's recess period is denied pursuant to subparagraph (A), school staff members shall make all reasonable efforts to resolve such threats and minimize exclusion from recess to the greatest extent practicable. School staff members are encouraged to use other means of correction, such as those specified in subdivision (b) of Section 48900.5.

(b) This section does not prohibit a public elementary school from providing pupils with a snack during recess.

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

(1) "Educational program" means the entire school-sponsored offering for pupils, including in-class and out-of-class activities.

(2) (A) "Public elementary school" means a school that is operated by a school district or county office of education, or a charter school that maintains kindergarten or any of grades 1 to 6, inclusive.

(B) For a school that also maintains a grade higher than grade 6, the provisions of this section apply only to recess provided to pupils in kindergarten and any of grades 1 to 6, inclusive.

(C) Notwithstanding subparagraph (B), the provisions of this section do not apply to pupils in grade 6 of a school that maintains grade 6 as part of a middle school or that solely maintains some or all of grades 6 to 12, inclusive, if the grade 6 pupils receive physical education pursuant to the requirements of Section 51222.

(3) "Recess" means a period of time during the schoolday, separate and distinct from physical education courses and meal times, but may follow or precede physical education courses or meal times, when pupils are given supervised and unstructured time for any of the following:

(A) Physical activity.

(B) Play.

(C) Organized games.

(D) Social engagement with peers.

SEC. 55. Section 49083.5 is added to the Education Code, to read:

49083.5. (a) CSIS, in consultation with the department, shall create and maintain a list of SIS vendors. This list shall include the product capabilities of SIS vendors.

(b) The list established pursuant to subdivision (a) shall include a state designation established by CSIS for SIS vendors that meet all of the following requirements:

(1) Serve local educational agencies educating pupils in any of kindergarten or grades 1 to 12, inclusive.

(2) Comply, without passing the costs of complying to local educational agencies, with the California High School Transcript and Student Record Portability Standard that is acknowledged by the Office of Cradle-to-Career Data and promoted by the department, the California State University, the University of California, the California Community Colleges, and the Student Aid Commission, maintained in a data standards repository within the data system administered by the Office of Cradle-to-Career Data pursuant to Section 10862, and managed by the CCGI pursuant to subdivision (c) of Section 60900.5, and include the accompanying data standards and file specifications.

(3) Provide an API that facilitates a local educational agency's ability to meet the requirements of subparagraphs (B) and (D) of paragraph (3) of subdivision (f) of Section 60900.

(4) Are small-sized vendors that offer an alternative extract to paragraph (3) for use by the CCGI.

(c) CSIS, the department, and CCGI shall collaboratively establish the criteria to assess whether vendors meet the requirements of paragraphs (1) to (4), inclusive, of subdivision (b) to receive the state designation pursuant to that subdivision.

(d) CSIS shall post the list established pursuant to this section on its internet website.

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

(1) "API" means an application programming interface.

(2) "CCGI" means the California College Guidance Initiative.

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

(4) "SIS vendor" means a school information system vendor.

SEC. 56. Section 49428.1 of the Education Code is amended to read:

49428.1. (a) On or before June 1, 2025, the department shall develop model referral protocols for addressing pupil behavioral health concerns. In developing these protocols, the department shall consult with the State Department of Health Care Services, the members of the Student Mental Health Policy Workgroup, local educational agencies that have served as state or regional leaders in state or federal pupil behavioral health initiatives, county behavioral health programs, current classroom teachers and administrators, current schoolsite classified staff, current schoolsite staff who hold pupil personnel services credentials, current school nurses, current school counselors, and other professionals involved in pupil behavioral health as the department deems appropriate. The department shall also select at least one member of each of the following groups to consult with in developing the protocols:

(1) Current high school pupils.

(2) Parents of current high school or middle school pupils.

(3) Parents of current elementary school pupils.

(b) These protocols shall be designed for use, on a voluntary basis, by schoolsites, school districts, county offices of education, charter schools, the California School for the Deaf, and the California School for the Blind, and by teacher, administrator, school counselor, pupil personnel services, and school nurse preparation programs operated by postsecondary educational institutions. The protocols shall do all of the following:

(1) Address the appropriate and timely referral by school staff of pupils with behavioral health concerns.

(2) Reflect a multitiered system of support process and positive behavioral interventions and supports. These protocols are encouraged to be used in lieu of disciplinary actions, and pupils who may be the subject of disciplinary action should be able to access these protocols and should not be prohibited from accessing them.

(3) Be adaptable to varied local service arrangements for behavioral health services.

(4) (A) Reflect evidence-based and culturally appropriate approaches to pupil behavioral health referral without disciplinary actions.

(B) For purposes of this paragraph, “evidence-based” means peer-reviewed, scientific research evidence, including studies based on research methodologies that control threats to both the internal and the external validity of the research findings.

(5) Address the inclusion of parents and guardians in the referral process.

(6) Be written to ensure clarity and ease of use by certificated and classified school employees.

(7) Reflect differentiated referral processes for pupils with disabilities and other populations for whom the referral process may be distinct.

(8) Be written to ensure that school employees act only within the authorization or scope of their credential or license. This section shall not be construed as authorizing or encouraging school employees to diagnose or treat youth behavioral health disorders unless they are specifically licensed and employed to do so.

(9) Be consistent with state activities conducted by the department in the administration of federally funded behavioral health programs.

(c) The department shall consider, when developing protocols under this section, the school behavioral health referral pathways toolkit developed by the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services.

(d) The department shall post the model referral protocols on its internet website so that they may be accessed and used by educational institutions specified in subdivision (b).

SEC. 57. Section 49428.2 is added to the Education Code, to read:

49428.2. (a) For purposes of this section, the following definitions apply:

(1) “Local educational agency” means a county office of education, school district, state special school, or charter school that serves pupils in any of grades 7 to 12, inclusive.

(2) “Youth behavioral health disorders” means pupil mental health and substance use disorders.

(3) “Youth behavioral health training” means training that develops awareness of trauma and the brain’s response to stress and the protective factors for behavioral health and well-being that support healing and resilience.

(b) (1) The governing board or body of a local educational agency shall, before January 31, 2026, adopt, at a regularly scheduled meeting, a policy on referral protocols for addressing pupil behavioral health concerns in grades 7 to 12, inclusive. The policy shall be developed in consultation with school and community stakeholders and school-linked behavioral health professionals, and shall, at a minimum, address procedures relating to referrals to behavioral health professionals and support services. Policies adopted before the date of enactment of the act that added this section may be considered to meet the requirements of this section, if they fulfill the requirements of this section.

(2) The policy adopted pursuant to paragraph (1) shall either be based on the model policy developed by the department or be consistent with subdivision (b) of Section 49428.1.

(3) The policy adopted pursuant to paragraph (1) shall specifically address the needs of high-risk groups, including, but not limited to, all of the following:

(A) Pupils bereaved by death or loss of a close family member or friend.

(B) Pupils for whom there is concern due to behavioral health disorders, including common psychiatric conditions and substance use disorders such as opioid and alcohol abuse.

(C) Pupils with disabilities, mental illness, or substance use disorders.

(D) Pupils experiencing homelessness or placed in out-of-home settings, such as foster care.

(E) Lesbian, gay, bisexual, transgender, or questioning pupils.

(4) (A) The policy adopted pursuant to paragraph (1) shall also address any training to be provided to teachers of pupils in grades 7 to 12, inclusive, on pupil behavioral health.

(B) Materials approved by a local educational agency for training shall include how to identify appropriate contacts for behavioral health evaluation, services, or both evaluation and services, at both the schoolsite and within the larger community, and when and how to refer pupils and their families to those services.

(C) Materials approved for training may also include programs that can be completed through self-review of materials developed pursuant to this section.

(5) The policy adopted pursuant to paragraph (1) shall be written to ensure that a school employee acts only within the authorization and scope of the employee’s credential or license. Nothing in this section shall be

construed as authorizing or encouraging a school employee to diagnose or treat youth behavioral health disorders unless the employee is specifically licensed and employed to do so.

(6) To assist local educational agencies in developing policies on referral protocols, the department shall develop and maintain a model policy in accordance with Section 49428.1 to serve as a guide for local educational agencies.

(c) Subject to subdivision (d), on or before July 1, 2029, a local educational agency shall certify to the department that 100 percent of its certificated employees and 40 percent of its classified employees, who have direct contact with pupils in any of grades 7 to 12, have received youth behavioral health training at least one time, in accordance with all of the following:

(1) The training provides instruction around the unique risk factors and warning signs of behavioral health problems in adolescents, builds understanding of the importance of early intervention, and teaches classified and certificated employees how to help an adolescent in crisis or experiencing a behavioral health challenge, including guidance on when to make referrals consistent with the policy adopted pursuant to subdivision (b). The training may also include the following:

(A) Instruction on recognizing the signs and symptoms of youth behavioral health disorders, including, but not limited to, psychiatric conditions and substance use disorders such as opioid and alcohol abuse.

(B) Instruction on how to maintain pupil privacy and confidentiality in a manner consistent with federal and state privacy laws.

(C) Instruction on the safe deescalation of crisis situations involving pupils with a youth behavioral health disorder.

(2) Except as provided in paragraph (3), the youth behavioral health training is provided to classified and certificated employees during regularly scheduled work hours.

(3) If a classified or certificated employee receives the youth behavioral health training in a manner other than through an in-service training program provided by the local educational agency, the employee may present a certificate of successful completion of the training to the local educational agency for purposes of satisfying the requirements of this subdivision.

(4) The youth behavioral health training shall not be a condition of employment or hiring for classified or certificated employees.

(5) A local educational agency may use the training described in subdivision (c) of Section 49428.15 to meet the requirements of this section.

(d) A local educational agency may exclude a licensed behavioral health professional who holds a pupil personnel services credential from the youth behavioral health training required by this section.

(e) A local educational agency may meet the requirements of subdivision (c) through an alternative approach by adopting a policy that describes how this approach is consistent with the goals specified in subdivision (c) but better meets the needs of pupils.

(f) Any parts of this section that fall within the scope of representation, as that term is used in paragraph (1) of subdivision (a) of Section 3543.2 of the Government Code, are subject to bargaining with the exclusive representative pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.

(g) It is the intent of the Legislature that the sum of thirty-five million dollars (\$35,000,000), or as much of that amount as is available, be allocated to the department, for apportionments to local educational agencies in the 2025–26 fiscal year pursuant to paragraph (2) of subdivision (c) of Section 36005 of the Revenue and Taxation Code. Upon appropriation for this purpose, all of the following shall apply:

(1) The funding shall be provided on a per-pupil basis for each pupil enrolled in grades 7 to 12, inclusive, as reported in the California Longitudinal Pupil Achievement Data System for the prior year Fall 1 Submission to meet the requirements of this section.

(2) Local educational agencies shall first use the funding provided to support the youth behavioral health training described in subdivision (c).

(3) If there are remaining funds, local educational agencies shall use the funds to offer additional training consistent with this section or to increase the number of staff that hold a pupil personnel services credential within the local educational agency.

(h) This section shall become inoperative on July 1, 2030, and, as of January 1, 2031, is repealed.

SEC. 58. Section 49501.5 of the Education Code is amended to read:

49501.5. (a) Notwithstanding any other provision of this chapter, commencing with the 2022–23 school year all of the following shall apply:

(1) (A) A school district, county superintendent of schools, or charter school maintaining kindergarten or any of grades 1 to 12, inclusive, shall make available a nutritionally adequate breakfast and a nutritionally adequate lunch free of charge and with adequate time to eat, as determined by that school district, county superintendent of schools, or charter school in consideration of the recommendations provided by the department pursuant to subdivision (e), during each schoolday to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal, except as described in clauses (i) and (ii) of subparagraph (B), with a maximum of one free breakfast meal and one free lunch meal, except for family daycare homes that shall be reimbursed for 75 percent of the meals served. The meals made available under this paragraph shall be nutritionally adequate meals that qualify for federal reimbursement. Participating school districts, county superintendents of schools, and charter schools shall comply with federal regulations for the National School Lunch Program and School Breakfast Program, which includes established mealtimes.

(B) (i) The department shall submit a waiver request to the United States Department of Agriculture to allow for one meal provided during a schoolday lasting four hours or less to be served in a noncongregate manner.

(ii) If the department receives approval for the federal noncongregate waiver required by clause (i), school districts, county superintendents of schools, and charter schools may make available either a nutritionally adequate breakfast or a nutritionally adequate lunch in a noncongregate manner for meal service combinations resulting in either (I) a congregate nutritionally adequate breakfast and a noncongregate nutritionally adequate lunch or (II) a noncongregate nutritionally adequate breakfast and a congregate nutritionally adequate lunch. These meals shall be reimbursed under the provisions of paragraph (2) if both state and federal requirements are met.

(2) (A) The department shall provide state meal reimbursement to school districts, county offices of education, and charter schools that participate in, and comply with the requirements of, the federal School Breakfast Program and National School Lunch Program, and any applicable state laws and regulations. State meal reimbursement shall be provided for reduced-price and paid meals served to pupils, as described in subdivision (b).

(B) As a condition of receiving funding pursuant to this paragraph, school districts, county offices of education, and charter schools shall conduct direct certification matching through the California Longitudinal Pupil Achievement Data System on a monthly basis.

(b) The amount of per-meal reimbursements provided under this section shall not exceed the difference between the sum of the amounts calculated from meals claimed based on the free combined breakfast and lunch reimbursement rates established by the United States Department of Agriculture and state meal contribution established in Section 49559, and the combined federal and state amounts reimbursed for reduced-price and paid meals claimed.

(c) The reimbursement required pursuant to this section shall be provided upon appropriation by the Legislature. This section shall not be operative until the Legislature has appropriated funds for purposes of this section.

(d) (1) The department may adopt, and as necessary revise, guidelines in accordance with this section at a publicly noticed meeting if the department complies with all of the following:

(A) Provides an opportunity for public comment at the meeting.

(B) Provides written public notice of a meeting at least 30 days before the meeting at which the guideline to be adopted will be considered or approved.

(C) For a substantive revision of the guidelines, the department provides written notice of a meeting at least 15 days before the meeting at which the revision will be considered or approved.

(2) The adoption or revision of guidelines pursuant to this subdivision is exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code until July 1, 2023.

(e) The department shall review available evidence-based research, studies, and survey findings with school food authorities and school food workers, or their representatives, to make a recommendation for the amount

of time that is adequate for a pupil to eat a school meal, including, but not limited to, the steps necessary to ensure that a pupil has adequate time to eat school meals that are served pursuant to this section and examining the role that breakfast in the classroom and other innovative breakfast models can play in supporting adequate time to eat. These recommendations shall be made public on the department's internet website on or before June 30, 2025.

(f) Notwithstanding subdivision (a), a school district, county office of education, or charter school that offers independent study, pursuant to Article 5.5 (commencing with Section 51744) of Chapter 5 of Part 28, shall meet the requirements of this section for any pupil on any schoolday that the pupil is scheduled for educational activities, as defined in Section 49010, lasting two or more hours, at a schoolsite, resource center, meeting space, or other satellite facility. Pupils who are present during established meal times shall have a nutritionally adequate breakfast and nutritionally adequate lunch made available.

(g) The chartering authority shall, upon request by a charter school and to the extent feasible within existing resources, provide technical assistance to the charter school in implementing this section.

(h) A charter school may enter into a partnership with an existing school food authority for the purposes of implementing this section.

(i) The chartering authority shall, upon request by a new charter school, contract with a charter school to make available a nutritionally adequate school breakfast and a nutritionally adequate school lunch until the charter school is an approved school food authority or until July 1 of the school year after the charter school becomes operational, whichever occurs first. The contract shall not exceed the actual costs to provide meals to the charter school, including, but not limited to, additional staffing costs and delivery of meals to the schoolsite, that are not covered by federal or state meal reimbursement.

(j) To comply with subdivision (a), a school district, county office of education, or charter school may use funds made available through any federal or state program the purpose of which includes the provision of meals to a pupil, including the federal School Breakfast Program, the federal National School Lunch Program, the federal Summer Food Service Program, the federal Seamless Summer Option, or the state meal program, or may do so at the expense of the school district, county office of education, or charter school.

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

(1) "Nutritionally adequate breakfast" is one that qualifies for reimbursement under the most current meal pattern for the federal School Breakfast Program, as defined in Section 220.8 of Title 7 of the Code of Federal Regulations.

(2) "Nutritionally adequate lunch" is one that qualifies for reimbursement under the most current meal pattern for the federal National School Lunch Program, as defined in Section 210.10 of Title 7 of the Code of Federal Regulations.

(3) “Schoolday” means any day that pupils in kindergarten or any of grades 1 to 12, inclusive, are present at a schoolsite or school facility for purposes of instruction or educational activities, as defined in Section 49010, including, but not limited to, pupil attendance at minimum days, state-funded preschool, transitional kindergarten, summer school including incoming kindergarten pupils, extended school year days, school-sponsored field trips, independent study when a pupil is onsite during the schoolday, and Saturday school sessions.

SEC. 59. Section 49564.3 of the Education Code is amended to read:

49564.3. (a) For purposes of this section, a “high-poverty school” is a school that enrolls pupils in kindergarten or in any of grades 1 to 12, inclusive, and is eligible to operate under the Community Eligibility Provision, pursuant to Section 1759a of Title 42 of the United States Code.

(b) (1) In order to provide pupils in high-poverty schools with optimal nutrition for learning and to ensure that schools receive the maximum federal meal reimbursement, a school district or a county superintendent of schools shall provide breakfast and lunch free of charge to all pupils at a high-poverty school pursuant to this section.

(2) (A) On or before June 30, 2022, a school district or county superintendent of schools that has a high-poverty school with an identified student percentage of 40 percent or more in its jurisdiction shall apply to operate a federal universal meal service provision, which may include, but is not limited to, the Community Eligibility Provision or Provision 2, pursuant to Section 1759a of Title 42 of the United States Code.

(B) Nothing in this paragraph shall prohibit a school district or a county superintendent of schools from participating in a federal universal meal service provision if a high-poverty school in its jurisdiction has an identified student percentage of less than 40 percent.

(3) A school district or county superintendent of schools shall begin providing a universal meal service pursuant to Section 1759a of Title 42 of the United States Code to all pupils at a high-poverty school upon state approval to operate a universal meal service.

(c) The department shall provide technical assistance to school districts and county superintendents of schools for the purpose of maximizing the number of schools within each local educational agency to be eligible for the Community Eligibility Provision, pursuant to Section 1759a of Title 42 of the United States Code.

(d) For purposes of this section, a charter school shall be considered a high-poverty school only if it participates in the federal National School Lunch Program or the federal School Breakfast Program, or both, and meets the description in subdivision (a). A charter school that is a high-poverty school shall comply with the requirements specified in subdivision (b).

SEC. 60. Section 51225.31 of the Education Code is amended to read:

51225.31. (a) (1) Notwithstanding any other law, a local educational agency shall exempt an individual with exceptional needs who satisfies the eligibility criteria described in subdivision (b) from all courses and other requirements adopted by the governing board or body of the local educational

agency that are additional to the statewide course requirements specified in Section 51225.3 and shall award the pupil a diploma of graduation from high school, as described in Section 7801(23)(A)(ii)(I)(bb) of Title 20 of the United States Code.

(2) The award of a diploma of graduation from high school pursuant to this subdivision, in accordance with Section 300.102(a)(3) of Title 34 of the Code of Federal Regulations, does not change a local educational agency's obligation to provide a free appropriate public education, as described in subdivision (c) of Section 56026, or otherwise constitute a change in placement.

(b) An individual with exceptional needs, who entered ninth grade in the 2022–23 school year or later, shall be eligible for the exemption and award described in subdivision (a) if their individualized education program provides for all of the following:

(1) The pupil's individualized education program team has deemed the pupil eligible to take the state alternate assessments as described in subdivision (k) of Section 60640.

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

(c) An individual with exceptional needs who meets the criteria for the diploma pursuant to this section shall be eligible to participate in any graduation ceremony and any school activity related to graduation with their grade-level peers with and without disabilities. Participation in graduation activities that are subject to this section shall not be construed as termination of the provision of a free appropriate public education for pupils described in Section 56026, consistent with Section 300.102(a)(3)(ii) of Title 34 of the Code of Federal Regulations, unless the individualized education program team, which includes the parent and pupil, as defined in Sections 300.320 and 300.321 of Title 34 of the Code of Federal Regulations, has determined the pupil has completed their high school experience.

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

(e) Notwithstanding any other law, this section shall not be subject to waiver by the state board pursuant to Section 33050 or by the Superintendent.

SEC. 61. Section 51225.32 is added to the Education Code, to read:

51225.32. (a) (1) A local educational agency may exempt an individual with exceptional needs who was enrolled in grade 10 or higher in the 2022–23 school year, and who, while eligible pursuant to Section 56026, satisfies all the eligibility criteria described in subdivision (b) from all courses and requirements adopted by the governing board or body of the local educational agency that are additional to the statewide course requirements specified in Section 51225.3 and may 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) The award of a diploma of graduation from high school pursuant to this subdivision, in accordance with Section 300.102(a)(3) of Title 34 of

the Code of Federal Regulations, does not change a local educational agency's obligation to provide a free appropriate public education, as described in subdivision (c) of Section 56026, or otherwise constitute a change in placement.

(b) An individual with exceptional needs, who was enrolled in grade 10 or higher in the 2022–23 school year and is currently eligible pursuant to Section 56026, may be eligible for the exemption and award described in subdivision (a) if their individualized education program provides for all of the following:

(1) The pupil's individualized education program team has deemed the pupil eligible to take the state alternate assessments as described in subdivision (k) of Section 60640.

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

(c) An individual with exceptional needs who meets the criteria for the diploma pursuant to this section shall be eligible to participate in any graduation ceremony and any school activity related to graduation with their grade-level peers with and without disabilities. Participation in graduation activities that are subject to this section shall not be construed as termination of the provision of a free appropriate public education for pupils described in Section 56026, consistent with Section 300.102(a)(3)(ii) of Title 34 of the Code of Federal Regulations, unless the individualized education program team, which includes the parent and pupil, as defined in Sections 300.320 and 300.321 of Title 34 of the Code of Federal Regulations, has determined the pupil has completed their high school experience.

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

(e) This section shall become inoperative on July 1, 2031, and, as of January 1, 2032, is repealed.

SEC. 62. Section 51225.7 of the Education Code is amended to read:

51225.7. (a) For purposes of this section, the following definitions apply:

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

(2) "Opt-out form" means a form developed by the Student Aid Commission that permits parents, legal guardians, a legally emancipated pupil, a pupil who is 18 years of age or older, or a local educational agency on a pupil's behalf to not fill out a Free Application for Federal Student Aid or California Dream Act Application for any reason.

(3) "Outreach program" means a nonprofit entity that is exempt from taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or a public entity with experience in either or both of the following:

(A) Assisting pupils with financial aid application completion.

(B) Serving pupils who are eligible to submit a California Dream Act Application.

(4) “Pupil” means a pupil in grade 12 attending a high school maintained by a local educational agency.

(5) “Transcript-informed pupil accounts” means accounts available to grade 9 to 12, inclusive pupils that use data provided to the California College Guidance Initiative by local educational agencies, in accordance with data specified in the California High School Transcript and Student Record Portability Standard, as acknowledged by the Office of Cradle-to-Career Data.

(6) “Universal basic pupil accounts” means accounts available on the CaliforniaColleges.edu platform for grade 6 to 12, inclusive, pupils that use data provided to the California College Guidance Initiative by the department that are not inclusive of courses and grades.

(b) Commencing with the 2022–23 school year, except as provided in subdivisions (c) and (d), the governing body of a local educational agency shall confirm that a pupil complies with at least one of the following:

(1) The pupil completes and submits to the United States Department of Education a Free Application for Federal Student Aid.

(2) If the pupil is exempt from paying nonresident tuition pursuant to Section 68130.5, the pupil completes and submits to the Student Aid Commission a form established pursuant to Section 69508.5 for purposes of the California Dream Act.

(c) The parent or legal guardian of the pupil, or the pupil if the pupil is a legally emancipated minor or 18 years of age or older, may opt out of the requirements of this section by filling out and submitting an opt-out form to the local educational agency. The Student Aid Commission shall make the opt-out form available to all local educational agencies pursuant to subdivision (h).

(d) If the local educational agency determines that a pupil is unable to complete a requirement of this section, the local educational agency shall exempt the pupil or, if applicable, the pupil’s parent or legal guardian from completing and submitting a Free Application for Federal Student Aid, a form established pursuant to Section 69508.5 for purposes of the California Dream Act, or an opt-out form pursuant to subdivision (c). If the local educational agency exempts the pupil from having to complete the requirements of this section, the local educational agency shall complete and submit an opt-out form on the pupil’s behalf.

(e) The governing board or body of the local educational agency shall ensure both of the following:

(1) The local educational agency directs each high school pupil and, if applicable, the pupil’s parent or legal guardian to any support and assistance services necessary to comply with the requirement described in subdivision (b) that may be available through outreach programs, including, but not limited to, those programs operated by the Student Aid Commission, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and legal resource organizations.

(2) Information shared by parents, legal guardians, and pupils under this section is handled in compliance with the federal Family Educational Rights

and Privacy Act of 2001 (20 U.S.C. Sec. 1232g) and applicable state laws, including Chapters 493 and 495 of the Statutes of 2017, regardless of any person's immigration status or other personal information, in order to protect all pupil and parent data to the fullest extent possible so that schools and all personal data remain safe.

(f) It is the intent of the Legislature that high school pupils have the support and assistance services to help pupils successfully complete and submit a Free Application for Federal Student Aid and the form established pursuant to Section 69508.5 for purposes of the California Dream Act.

(g) On or before September 1, 2022, and each year thereafter, the Student Aid Commission and the department shall facilitate the completion of the Free Application for Federal Student Aid and the form established pursuant to Section 69508.5 for purposes of the California Dream Act in the following manner:

(1) The department shall share the current school year's roster of pupils with the Student Aid Commission.

(2) The Student Aid Commission shall match the data described in paragraph (1) with a pupil's application status based on the data possessed by the Student Aid Commission related to submission of the Free Application for Federal Student Aid and the form established pursuant to Section 69508.5 for purposes of the California Dream Act.

(3) The Student Aid Commission shall provide, to the extent permissible pursuant to state and federal law, the California College Guidance Initiative, described in Section 10861, with the data necessary, as determined by the California College Guidance Initiative, in consultation with the department, to inform the educator reports available through the CaliforniaColleges.edu platform to improve educator access to the information needed to determine whether each individual pupil has successfully completed and submitted their Free Application for Federal Student Aid or California Dream Act application.

(4) Upon participation of a local educational agency in the California College Guidance Initiative's implementation of transcript-informed accounts for pupils in grades 9 to 12, inclusive, on the CaliforniaColleges.edu platform, and to the extent permissible pursuant to state and federal law, the California College Guidance Initiative shall provide pupil grade point average information necessary, for each participating pupil in the local educational agency, to ensure that each pupil successfully completes and submits their Free Application for Federal Student Aid or California Dream Act application, to the Student Aid Commission in accordance with the privacy requirements of the federal Family Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g).

(h) The Student Aid Commission shall, on or before July 1, 2022, adopt regulations that include, but are not limited to, model opt-out forms and acceptable use policies for the purpose of providing guidance on the requirements relating to state law in subparagraph (B) of paragraph (1) of subdivision (e). The Student Aid Commission shall post and make available

any model opt-out forms and policies established pursuant to this subdivision on its internet website.

(i) A pupil who does not fulfill the requirements of this section shall not be penalized or punished and this section shall not affect a pupil's ability to graduate.

SEC. 63. Section 51225.8 of the Education Code is amended to read:

51225.8. (a) Commencing with the 2020–21 school year, the governing board of a school district and the governing body of a charter school, as appropriate, shall ensure that each of its pupils receives information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the California Dream Act application, as appropriate, at least once before the pupil enters grade 12. The manner in which information is provided pursuant to this section shall be at the discretion of the governing board of the school district or the governing body of the charter school, as appropriate, and may include, but not necessarily be limited to, information dissemination through in-class instruction, an existing program, family information sessions, or group or individual sessions with school counselors.

(b) Notwithstanding subdivision (a), commencing with participation of a local educational agency in the California College Guidance Initiative's implementation of universal basic pupil accounts on the CaliforniaColleges.edu platform, and in furtherance of satisfying the requirements of subdivision (b) of Section 51225.7, the governing board of a school district and the governing body of a charter school, as appropriate, shall ensure that each pupil in grade 11 is advised to complete the grade 11 financial aid lessons on the CaliforniaColleges.edu platform operated by the California College Guidance Initiative pursuant to Section 10861.

(c) The manner in which information is provided pursuant to subdivision (a) and the grade 11 financial aid lessons described in subdivision (b) shall be developed in partnership with the Student Aid Commission in order to ensure timely communication to pupils of changes in the process for applying for financial aid. A memorandum of understanding shall be established between the California College Guidance Initiative and the Student Aid Commission, detailing the partnership in creation of these lessons. These lessons are provided to pupils at the discretion of the governing board of the school district or the governing body of the charter school, as appropriate, and may include, but not be limited to, information dissemination through in-class instruction, an existing program, family information sessions, or group or individual sessions with school counselors. The grade 11 financial aid lessons provided pursuant to subdivision (b) shall include, but not necessarily be limited to, material related to all of the following:

(1) The types of documentation and personal information that each student financial aid application requires, including, but not necessarily limited to, documents relating to income taxes, finances and income, college choices, academic status, and personal identification such as social security or taxpayer identification numbers.

(2) An explanation of definitions used for each application. These definitions may include, but are not necessarily limited to, definitions of

“legal guardianship,” “household size,” “parent,” “dependent,” and “taxable college grants and scholarships.”

(3) Eligibility requirements for student financial aid that may be applied for using the FAFSA or the California Dream Act Application.

(4) Application timelines and submission deadlines.

(5) The importance of submitting applications early, especially when student financial aid is awarded on a first-come, first-served basis.

(d) The governing board of a school district and the governing body of a charter school shall ensure that both of the following occurs:

(1) A paper copy of the FAFSA or the California Dream Act application is provided to each pupil, upon request by that pupil or upon request of a parent or guardian of that pupil.

(2) Commencing with participation of a local educational agency in the California College Guidance Initiative’s basic universal pupil accounts on the CaliforniaColleges.edu platform, a representative of the school district and the charter school, as applicable, has a district administrator account registered on the CaliforniaColleges.edu platform for purposes of this representative serving as the district administrator to support grade 11 pupils in completing the grade 11 financial aid lessons provided pursuant to this section.

(e) The governing board of a school district and the governing body of a charter school shall ensure that any information shared by parents, guardians, and pupils under this section is handled according to applicable state and federal privacy laws and regulations.

SEC. 64. Section 51229 of the Education Code is amended to read:

51229. (a) Each school year, as part of the annual notification required pursuant to Section 48980, a school district offering any of grades 9 to 12, inclusive, shall provide the parent or guardian of each minor pupil enrolled in any of those grades in the district with written notification that, to the extent possible, shall not exceed one page in length and that includes all of the following:

(1) A brief explanation of the college admission requirements.

(2) A list of the current University of California and California State University internet websites that help pupils and their families learn about college admission requirements and that list high school courses that have been certified by the University of California as satisfying the requirements for admission to the University of California and the California State University.

(3) A brief description of what career technical education is, as defined by the department.

(4) The internet address for the portion of the department’s internet website where pupils can learn more about career technical education.

(5) Information about how pupils may meet with school counselors to help them choose courses at their schools that will meet college admission requirements or enroll in career technical education courses, or both.

(6) A separate and distinct disclosure, provided as part of the school district’s annual parent notification, as required by the federal Family

Education Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), that data may be shared with the California College Guidance Initiative to provide pupils and their families with direct access to online tools and resources for college and career planning.

(7) Direction to the CaliforniaColleges.edu platform in order to access resources that help pupils and their families learn about college admissions requirements.

(b) For purposes of this section, “college admission requirements” means the list of courses that satisfy the subject requirements for admission to the California State University and the University of California.

SEC. 65. 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 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 10 percent of required minimum instructional time over four continuous weeks of a local educational agency’s

approved instructional calendar, pupils found not participatory in synchronous instructional offerings pursuant to Section 51747.5 for more than 50 percent of the scheduled times 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 local programs intended to address chronic absenteeism, as applicable, with at least 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 nonattendance 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) (i) For a pupil participating in an independent study program that is scheduled for more than 15 schooldays, 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 the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.

(ii) For a pupil participating in an independent study program that is scheduled for 15 schooldays or fewer, each written agreement shall be signed, during the school year in which the independent study program takes place, 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. The written agreement may be signed at any time during the school year, but it is the intent of the Legislature that parents or guardians of pupils be provided the agreement at or before the beginning of the school year.

(iii) 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 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) Before signing a written agreement pursuant to this section, the parent or guardian of a pupil may request that the local educational agency 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 16 schooldays in a school year and pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision.

(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. 66. Section 51747.5 of the Education Code is amended to read:

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

(b) (1) A local educational agency may claim apportionment credit for independent study only to the extent of the time value of pupil work products, as personally judged in each instance by a certificated teacher employed by the local educational agency, or the combined time value of pupil work product and pupil participation in synchronous instruction pursuant to paragraph (2). It is the intent of the Legislature that teachers be given access to digital assignment tracking systems to reduce workload associated with evaluating and accounting for pupil work and synchronous instruction participation.

(2) For purposes of computing average daily attendance for each pupil enrolled in independent study pursuant to Section 51747, the following computations shall apply:

(A) (i) For each schoolday, add the combined equivalent daily time value of pupil work products, as personally judged by a certificated employee of the local educational agency.

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

(B) (i) For each schoolday, add the combined daily instructional minutes a pupil participated in synchronous instruction, as defined by subdivision (d) of Section 51745.5 and offered pursuant to subdivision (e) of Section 51747, for which evidence of pupil participation is furnished and maintained. Evidence of pupil participation may include, but is not limited to, pupil

work produced or performed, or documentation that the pupil participated in an instructional period either visually or verbally, as verified by a certificated employee and maintained by the local educational agency for each hour or fraction thereof of the synchronous instructional offering.

(ii) Pursuant to paragraph (1), a local educational agency may claim apportionment credit in this paragraph insofar as a pupil's participation in a synchronous instructional offering augments the time value of pupil work product.

(C) For each schoolday, add the sum of subparagraphs (A) and (B). If the sum of subparagraphs (A) and (B) meets the applicable minimum schoolday requirements for each schoolday, and all other requirements in this section have been met, each schoolday shall be credited as up to one schoolday of attendance.

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

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

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

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

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

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

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

SEC. 67. Section 51749 of the Education Code is amended to read:

51749. (a) The Superintendent, upon the next revision of the California Basic Educational Data System, or its equivalent, following July 1, 1990, shall include all data collection elements necessary to compile an annual

statewide profile of pupils participating in independent study, including data on the number and percentage of pupils pursuing their coursework through independent study who successfully complete the requirements for a high school diploma.

(b) Commencing with the 2021–22 school year, the department shall include a required field in the California Longitudinal Pupil Achievement Data System for the collection of the number of pupils participating in independent study pursuant to this article for 16 or more schooldays.

SEC. 68. Section 51749.5 of the Education Code is amended to read:

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

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

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

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

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

(B) This certification shall, at a minimum, include the duration, number of equivalent daily instructional minutes for each schoolday that a pupil is enrolled, number of equivalent total instructional minutes, number of course credits for each course, and a plan as described in subparagraph (C). This information shall be consistent with that of equivalent classroom-based courses.

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

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

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

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

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

(7) (A) An individual with exceptional needs, as defined in Section 56026, may participate in course-based independent study, if the pupil's individualized education program developed pursuant to Article 3 (commencing with Section 56340) of Chapter 4 of Part 30 specifically provides for that participation.

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

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

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

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

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

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

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

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

(i) Verification of current contact information for each enrolled pupil.

(ii) A plan for outreach from the school to determine pupil needs, including connection with health and social services as necessary.

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

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

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

(10) A proctor shall administer examinations.

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

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

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

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

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

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

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

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

(18) (A) For a pupil participating in an independent study program that is scheduled for more than 15 schooldays, 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 the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.

(B) For a pupil participating in an independent study program that is scheduled for 15 schooldays or fewer, each written agreement shall be signed, during the school year in which the independent study program takes place, 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. The written agreement may be signed at any time during the school year, but it is the intent of the Legislature that parents or guardians of pupils be provided the agreement at or before the beginning of the school year.

(C) 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) Subparagraph (C) of paragraph (4) of, subparagraph (C) of paragraph (8) of, and paragraph (9) of, subdivision (a) shall not apply to pupils that participate in an independent study program for fewer than 16 schooldays in a school year or to pupils enrolled in a comprehensive school for classroom-based instruction who, under the care of appropriately licensed professionals, participate in independent study due to necessary medical treatments or inpatient treatment for mental health care or substance abuse. Local educational agencies shall obtain evidence from appropriately licensed professionals of the need for pupils to participate in independent study pursuant to this subdivision.

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

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

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

(C) For each schoolday, add the sum of subparagraphs (A) and (B).

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 69. 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) (A) For independent study programs projected to last more than 15 schooldays for an individual pupil, 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 the certificated employee designated as having responsibility for the special education programming of the pupil, as applicable.

(B) For independent study programs projected to last fewer than 16 schooldays for an individual pupil, each learning agreement shall be signed, during the school year in which the independent study program takes place, 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. The written agreement may be signed at any time during the school year, but it is the intent of the Legislature that parents or guardians of pupils be provided the agreement at or before the beginning of the school year.

(C) 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 paragraph (1), 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 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. 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. 70. Section 52062 of the Education Code is amended to read:

52062. (a) Before the governing board of a school district considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

(1) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the applicable committees pursuant to Section 52063 for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the parent advisory committee.

(2) The superintendent of the school district shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52063, if applicable, for review and comment. The superintendent of the school district shall respond, in writing, to comments received from the English learner parent advisory committee.

(3) The superintendent of the school district shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a school district to produce printed notices or to send notices by mail. The superintendent of the school district shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.

(4) The superintendent of the school district shall review school plans submitted pursuant to Section 64001 for schools within the school district and ensure that the specific actions included in the local control and

accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(5) The superintendent of the school district shall consult with its special education local plan area administrator or administrators to determine that specific actions for individuals with exceptional needs are included in the local control and accountability plan or annual update to the local control and accountability plan, and are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.

(6) (A) The superintendent of the school district shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year as part of a nonconsent item at a regularly scheduled meeting of the governing board of the school district.

(B) The report shall include both of the following:

(i) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(ii) All available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(b) (1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by paragraph (1) of subdivision (a) of Section 42127.

(2) A governing board of a school district shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to paragraph (2) of subdivision (a) of Section 42127.

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

SEC. 71. Section 52064.3 of the Education Code is amended to read:

52064.3. (a) (1) On or before January 31, 2027, the state board shall adopt an IDEA Addendum relating to improvements in services for individuals with exceptional needs.

(2) The department shall develop a process to design the template for the IDEA Addendum that, at minimum, does all of the following:

(A) Provides opportunities for input from educational partners.

(B) Results in a template that meets the oversight and monitoring requirements of the department and state board under the federal Individuals with Disabilities Education Act.

(C) Facilitates all the requirements of subdivision (d), including, but not limited to, facilitating the ability to identify areas of the IDEA Addendum that are in alignment with the local control and accountability plan.

(b) Upon identification by the department that an improvement plan is necessary pursuant to Section 300.600 et seq. of Title 34 of the Code of Federal Regulations, the identified school district, county office of education, or charter school shall complete the IDEA Addendum.

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

(d) On or before July 1, 2027, each school district, charter school, or county office of education that is required to develop an IDEA Addendum pursuant to subdivision (b) shall do both of the following:

(1) The IDEA 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, 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, or by the governing body of a charter school pursuant to Section 47606.5, and shall be updated on an annual basis thereafter.

(2) The IDEA Addendum shall be submitted to the department within 15 days of adoption by the governing board of a school district, county board of education, or governing body of a charter school as set forth in paragraph (1).

(e) A school district, charter school, or county office of education that was identified by the department and adopted an improvement plan before July 1, 2027, shall not be required to develop an IDEA Addendum pursuant to this section until the expiration of their existing plan, or no later than July 1, 2030, whichever comes first.

(f) The IDEA Addendum shall constitute an addendum for purposes of the posting requirements described in Sections 47606.5 and 52065.

(g) Nothing in this section requires a school district, charter school, or county office of education to include items from the IDEA Addendum in their local control and accountability plan.

(h) 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).

(i) Unless specified, no other requirements of this article shall apply to this section.

SEC. 72. Section 52064.4 is added to the Education Code, to read:

52064.4. (a) On or before January 31, 2025, the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) of Section 52064 shall specify that all funds received by the local educational agency pursuant to Section 32526 and subject to the requirements of paragraph (1) of subdivision (d) of Section 32526 shall be included in the local control and accountability plan, or the annual update to the plan, for the period of July 1, 2025, to June 30, 2028, inclusive. The instructions shall be updated to address all of the following:

(1) Require identification of all planned expenditures using the funds apportioned pursuant to Section 32526 in the local control and accountability plan within the description of the associated actions and analysis of the implementation of those planned expenditures in the annual update.

(2) Require identification of at least one metric to monitor the impact of each identified action or service.

(3) Require the local educational agency to articulate the rationale for selecting among the permissible use of funds based on the needs assessment required under subdivision (d) of Section 32526, including identification of how the selected actions are expected to address the identified areas of need, based on one or more metrics, and for pupils or schools in the greatest need, as identified by the metrics in the needs assessment.

(4) Require the action description to explain how research supports each selected action or service based on the identified area or areas of need set forth in the needs assessment required under subdivision (d) of Section 32526.

(5) Specify that the requirements in Section 52064 for school districts receiving technical assistance pursuant to Section 52071 include assistance provided pursuant to subdivision (b).

(6) For the 2027–28 local control and accountability plan, or the annual update to the plan, require the local educational agency to review the rationale for selecting among the permissible use of funds included in the 2025–26 local control or accountability plan, or the annual update to the plan, pursuant to paragraph (3) in order to assess the overall effectiveness of the chosen strategy and whether adjustments to the chosen approach are warranted based on progress shown on the relevant metrics.

(b) School districts receiving technical assistance pursuant to Section 52071 and county offices of education providing technical assistance are encouraged to use technical assistance to support the school district in conducting the needs assessment pursuant to subdivision (d) of Section 32526 and a selection of actions funded by the Learning Recovery Emergency Block Grant or evaluation of implementation of those actions, as applicable, pursuant to subdivision (a).

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

(d) This section shall become inoperative on July 1, 2028, and, as of January 1, 2029, is repealed.

SEC. 73. Section 52064.5 of the Education Code is amended to read:

52064.5. (a) On or before October 1, 2016, the state board shall adopt evaluation rubrics for all of the following purposes:

(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

(2) To assist a county superintendent of schools, the department, or a chartering authority in identifying school districts, county offices of education, and charter schools in need of technical assistance pursuant to Section 52071, 52071.5, or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.

(3) To assist the Superintendent in identifying school districts and county offices of education for which intervention pursuant to Section 52072 or 52072.5, as applicable, is warranted.

(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in subdivision (d) of Section 52060.

(c) As part of the evaluation rubrics, the state board shall adopt state and local indicators to measure school district and individual schoolsite performance in regard to each of the state priorities described in subdivision (d) of Section 52060. No later than January 31, 2021, local indicators shall reflect school-level data to the extent the department collects or otherwise has access to relevant and reliable school-level data for all schools statewide.

(d) The state board may adopt alternate methods for calculating the state and local indicators described in subdivision (c) for alternative schools, as described in subdivision (d) of Section 52052, if appropriate to more fairly evaluate the performance of these schools or of a specific category of these schools. Alternate methods may include an individual pupil growth model.

(e) (1) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectations for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060. The standards shall be based on the state and local indicators specified in subdivision (c).

(2) (A) No later than January 31, 2020, the standards for local indicators shall, at a minimum, ensure that the governing board of a school district, the county board of education, and the governing body of a charter school review any data to be publicly reported for the local indicators in conjunction with the adoption of a local control and accountability plan pursuant to Section 52062, 52068, or 47606.5, as applicable. No later than January 31, 2021, the standards for local indicators for which the department collects or otherwise has access to relevant and reliable school-level data for all schools statewide shall, to the extent practicable, be based on objective criteria, which may include, but are not necessarily limited to, the extent of any disparities across schoolsites within a school district or county office of education or performance relative to statewide data.

(B) If the governing board of a school district, the county board of education, or the governing body of a charter school is unable to review any data required pursuant to subparagraph (A) due to any of the events

described in subdivision (a) of Section 46392, the local indicator data shall be reviewed at the next meeting of the governing board or body and a resolution shall be adopted and submitted to the department with the following information:

- (i) A description of the emergency event.
- (ii) The date on which the local indicator data was reviewed.

(f) (1) The department, in collaboration with, and subject to the approval of, the executive director of the state board, shall develop and maintain the California School Dashboard, a web-based system for publicly reporting performance data on the state and local indicators included in the evaluation rubrics.

(2) The public reporting of performance data on state and local indicators via the web-based system shall be completed on or before the following dates for the prior school year:

- (A) December 15, 2023.
- (B) December 1, 2024.
- (C) November 15, 2025.
- (D) October 15, 2026, and October 15 of each year thereafter.

(3) Timelines associated with the collection of data through the California Longitudinal Pupil Achievement Data System pursuant to Section 60900 shall be adjusted to support the public reporting dates in paragraph (2).

(g) As part of the evaluation rubrics, the state board shall adopt performance criteria for local educational agency assistance and intervention pursuant to Sections 47607.3, 52071, 52071.5, 52072, and 52072.5. The criteria shall be based on performance by pupil subgroups either across two or more of the state and local indicators specified in subdivision (c) or across two or more of the state priorities described in subdivision (d) of Section 52060 and subdivision (d) of Section 52066.

SEC. 74. Section 52066 of the Education Code is amended to read:

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

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

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

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

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to

the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

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

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

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

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

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

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

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

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

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

(F) The English learner reclassification rate.

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

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

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

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how

information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

(i) (1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter, a county superintendent of schools shall prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

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

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 and each charter school identified for technical assistance pursuant to subdivision (a) of Section 47607.3 in improving pupil outcomes, including, at a minimum, clearly identifying the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district and charter school will take independent of the county superintendent of schools to improve pupil outcomes pursuant to subparagraph (C) of paragraph (1) of subdivision (c) of Section 52071 or paragraph (3) of subdivision (a) of Section 47607.3.

(C) One or more goals for each of the following:

(i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.

(ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071 and charter schools pursuant to subdivision (a) of Section 47607.3.

(iii) Providing any other support to school districts and schools within the county in implementing this article.

(iv) Providing support to school districts in developing and implementing the addendum specified in Section 52064.3.

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

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

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

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

SEC. 75. Section 52068 of the Education Code is amended to read:

52068. (a) Before the county board of education considers the adoption of a local control and accountability plan or an annual update to the local control and accountability plan, all of the following shall occur:

(1) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to a parent advisory committee established pursuant to Section 52069 for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the parent advisory committee.

(2) The county superintendent of schools shall present the local control and accountability plan or annual update to the local control and accountability plan to the English learner parent advisory committee established pursuant to Section 52069, if applicable, for review and comment. The county superintendent of schools shall respond, in writing, to comments received from the English learner parent advisory committee.

(3) The county superintendent of schools shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan, using the most efficient method of notification possible. This paragraph shall not require a county superintendent of schools to produce printed notices or to send notices by mail. The county superintendent of schools shall ensure that all written notifications related to the local control and accountability plan or annual update to the local control and accountability plan are provided consistent with Section 48985.

(4) The county superintendent of schools shall review school plans submitted pursuant to Section 64001 for schools operated by the county superintendent of schools and ensure that the specific actions included in the local control and accountability plan or annual update to the local control and accountability plan are consistent with strategies included in the school plans submitted pursuant to Section 64001.

(5) The county superintendent of schools shall consult with its special education local plan area administrator or administrators to determine that

specific actions for individuals with exceptional needs are included in the local control and accountability plan or annual update to the local control and accountability plan, and are consistent with strategies included in the annual assurances support plan for the education of individuals with exceptional needs.

(6) (A) The county superintendent of schools shall present a report on the annual update to the local control and accountability plan and the local control funding formula budget overview for parents on or before February 28 of each year as part of a nonconsent item at a regularly scheduled meeting of the county board of education.

(B) The report shall include all of the following:

(i) All available midyear outcome data related to metrics identified in the current year's local control and accountability plan.

(ii) All available midyear expenditure and implementation data on all actions identified in the current year's local control and accountability plan.

(b) (1) The county board of education shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan, and any comments received pursuant to paragraphs (1) to (3), inclusive, of subdivision (a), will be available for public inspection. The public hearing shall be held at the same meeting as the public hearing required by Section 1620.

(2) The county board of education shall adopt a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the county board of education adopts a budget pursuant to Section 1622.

(c) A county superintendent of schools may develop and present to a county board of education for adoption revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. The county board of education may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

SEC. 76. Section 52073 of the Education Code is amended to read:

52073. (a) (1) By September 1, 2018, 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, county offices of education to serve as geographic lead agencies to conduct the activities required pursuant to this section.

(2) (A) The department, the California Collaborative for Educational Excellence, and the geographic lead agencies shall work collaboratively to advance the purpose of the statewide system of support specified in subdivision (b) of Section 52059.5.

(B) The department and the California Collaborative for Educational Excellence shall establish a formal process to ensure that the department, the California Collaborative for Educational Excellence, and the geographic lead agencies communicate with each other regularly.

(C) The department and the California Collaborative for Educational Excellence shall establish a process for the department, the California Collaborative for Educational Excellence, and the geographic lead agencies to engage with stakeholders to inform each entity's work within the statewide system of support established by Section 52059.5.

(D) The department and the California Collaborative for Educational Excellence, in consultation with the executive director of the state board, shall establish a formal process to coordinate the activities of the department, the California Collaborative for Educational Excellence, geographic lead agencies established pursuant to this section, expert lead agencies established pursuant to Section 52073.1, and special education resource leads established pursuant to Section 52073.2 to provide coherent and effective support to local educational agencies. The California Collaborative for Educational Excellence, in consultation with the department, shall facilitate this formal process.

(3) The process to select geographic lead agencies shall ensure that no fewer than six and no more than 10 geographic lead agencies are selected in a manner to ensure statewide coverage. Geographic lead agencies shall be selected for a term not to exceed five years.

(4) The process to select geographic lead agencies shall, at a minimum, specify that a county office of education applying to be a geographic lead agency demonstrate all of the following:

(A) Appropriate expertise with the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066 and with federal programs, which may include a plan to partner or subcontract, as appropriate, with other county offices of education or other entities for that expertise.

(B) Ability to build the capacity of county offices of education within a defined geographic area to provide effective assistance and support to school districts under the state priorities identified in subdivision (d) of Section 52060 and federal programs.

(C) Demonstrated capacity to provide assistance to school districts on improving pupil performance and closing achievement gaps for pupil subgroups identified pursuant to Section 52052.

(D) Capacity and willingness to provide necessary assistance and support to other county offices of education.

(E) Ability to coordinate and calibrate assistance and support provided to local educational agencies within a defined geographic area and with other geographic lead agencies, the California Collaborative for Educational Excellence, and the department.

(F) Willingness to establish goals and be held accountable for improved performance across multiple measures within a defined geographic area.

(5) A county office of education may partner as a consortium with other local educational agencies, institutions of higher education, or nonprofit educational services providers to submit a proposal to serve as a geographic lead agency.

(b) (1) A geographic lead agency shall have all of the following responsibilities:

(A) Assist 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 identified in subdivision (d) of Section 52060 and federal programs.

(B) Coordinate and calibrate assistance and support provided to local educational agencies within its defined geographic area and with other geographic lead agencies, expert lead agencies identified pursuant to Section 52073.1, special education resource leads identified pursuant to Section 52073.2, the California Collaborative for Educational Excellence, and the department.

(C) Provide assistance and support if another county office of education within the geographic lead agency's defined geographic area is unable to provide appropriate assistance and support to one or more school districts in that county office of education's boundaries, or at the request of a school district or county superintendent of schools pursuant to subdivision (d) of Section 52071.

(D) Identify existing resources, professional development activities, and other efforts currently available within its designated geographic area to assist school districts and county offices of education to improve outcomes under the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066, and upon request, share information about these existing resources.

(E) Upon request by the department and the California Collaborative for Educational Excellence, develop new resources and activities that are designed to build capacity within school districts and county offices of education across the state under the state priorities identified in subdivision (d) of Section 52060 and subdivision (d) of Section 52066 or other areas of identified need.

(F) Other duties as specified by the department and the California Collaborative for Educational Excellence as part of the process to select geographic lead agencies.

(2) A geographic lead agency may enter into subcontracts with one or more local educational agencies, institutions of higher education, or nonprofit educational services providers to assist in fulfilling the responsibilities described in this subdivision.

(c) The California Collaborative for Educational Excellence, in consultation with the department, shall assist the geographic lead agencies in fulfilling the responsibilities described in subdivision (b).

(d) (1) At the conclusion of the term for each selected geographic lead agency, the department and the California Collaborative for Educational Excellence, subject to approval by the executive director of the state board, may renew the selection of the existing geographic lead agency or reopen the selection of a geographic lead agency in a manner consistent with subdivision (a).

(2) Before renewing the selection of an existing geographic lead agency, the department and the California Collaborative for Educational Excellence shall determine that the geographic lead agency has been successful in doing both of the following:

(A) Meeting the goals established pursuant to subparagraph (F) of paragraph (4) of subdivision (a).

(B) Fulfilling the responsibilities described in subdivision (b), including, but not limited to, progress in building the capacity of county offices of education within the geographic lead agency's defined geographic area as demonstrated by trends within the geographic lead agency's defined geographic area in the number of school districts receiving technical assistance pursuant to subdivision (c) of Section 52071 and the number of school districts that stopped receiving technical assistance pursuant to subdivision (c) of Section 52071 due to improved performance on the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5.

(3) As part of the request for renewal, an existing geographic lead agency shall provide a description of efforts the geographic lead agency has made to fulfill the responsibilities described in subdivision (b).

(e) Commencing with the 2018–19 fiscal year, the sum of four million dollars (\$4,000,000) shall be appropriated annually to the department from the General Fund to be awarded to county offices of education serving as geographic lead agencies pursuant to this section.

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

SEC. 77. Section 52073.3 of the Education Code is amended to read:

52073.3. (a) The Legislature finds and declares all of the following:

(1) Without capacity in California's public school system to conduct meaningful interestholder engagement, especially as it relates to the local control and accountability plan development process, pupils, families, and communities may not be able to hold school districts accountable for decisions that affect pupil outcomes.

(2) The statewide system of support established pursuant to Section 52059.5 should include expertise and resources to help school districts improve in their ability to engage interestholders meaningfully.

(3) Through an important investment made through the Budget Act of 2018, the statewide system of support has grown to include the Community Engagement Initiative, which was established for the purpose of all of the following:

(A) Building capacity in communities and school districts to have difficult conversations with each other and build trust, with a focus on improving outcomes for pupils.

(B) Identifying effective models of community engagement and metrics to evaluate those models.

(C) Developing effective peer-to-peer partnerships between school districts and county offices of education, utilizing the existing professional learning networks structure administered by the California Collaborative for Educational Excellence, to deepen community engagement using lessons learned from the work identified in subparagraph (A) and the models identified in subparagraph (B).

(D) Scaling up the work identified in subparagraphs (A), (B), and (C) to improve community engagement statewide and incorporate practices that prove effective toward school district and county office of education continuous improvement efforts.

(4) Through the Community Engagement Initiative, local educational agencies have been able to create authentic partnerships among pupils, families, districts, and communities that nurture relationships, build trust, ensure cultural, racial, and linguistic equity, and lead to transformative pupil outcomes.

(5) While the initial investment in the Community Engagement Initiative was an important initial foray into building local educational agency engagement capacity, work remains to strengthen engagement statewide and further address the gaps in local capacity for meaningful community engagement.

(b) The Community Engagement Initiative Expansion, or the Expansion, is hereby established for all of the following purposes:

(1) Increasing and enhancing the emphasis on the engagement of pupils, families, and communities in all aspects of the Community Engagement Initiative.

(2) Expanding the use of the Community Engagement Initiative's identified metrics to create a common definition and clear standards for meaningful engagement at the local and state levels.

(3) Developing an in-depth training series on meaningful pupil, family, and community engagement and engaging local educational agencies and schoolsite staff in those trainings to build the knowledge, skillsets, and commitment of key staff in improving pupil, family, and community engagement.

(4) Increasing the capacity of the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) to scale up the initiative and improve alignment with the statewide system of support.

(c) (1) By May 1, 2023, the department and the California Collaborative for Educational Excellence, with approval from the executive director of

the state board, shall select an expert community engagement lead agency, consistent with Section 52073.1, to coadminister the Expansion with the California Collaborative for Educational Excellence.

(2) The lead agency selected for the Expansion shall demonstrate a willingness and capacity to do all of the following:

(A) Develop and disseminate expertise in community engagement.

(B) Work collaboratively with the California Collaborative for Educational Excellence and a diverse group of education interestholders.

(C) Communicate regularly with the department, the California Collaborative for Educational Excellence, and the lead agencies specified in Section 52073 through the formal process established pursuant to subparagraph (B) of paragraph (2) of subdivision (a) of Section 52073.

(D) Document the outcomes of the activities authorized by this section through the duration of the Expansion and, in partnership with the California Collaborative for Educational Excellence and the Expansion participants, develop resources based on the experiences and conclusions of the Community Engagement Initiative's participants and the Expansion's participants from their specific contexts that are broadly applicable and actionable statewide.

(E) Play a leadership role in disseminating the information specified in subparagraph (D) throughout the statewide system of support established pursuant to Section 52059.5 and serving as a resource to local educational agencies and community interestholders in applying that information to their local context.

(d) (1) The California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall create a common definition and clear metrics for effective, equitable community engagement that draw upon the metrics developed pursuant to paragraph (3) of subdivision (f) Section 140 of Chapter 32 of the Statutes of 2018.

(2) The metrics shall mirror the original purpose of the Community Engagement Initiative, which is to engage underrepresented pupils, families, and communities, build trust and have authentic and productive conversations, and link engagement to efforts that improve student outcomes.

(e) (1) On or before December 1, 2023, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall develop an in-depth training series and resources on meaningful pupil, family, and community engagement.

(2) The developed training series and resources shall be able to accomplish, at a minimum, all of the following:

(A) Develop professional development through train-the-trainer models or online training modules that are scaffolded to support the continued professional development and deeper expertise of educators.

(B) Provide technical assistance to local educational agencies.

(C) Develop a network of educators, especially those selected to participate in previous community engagement professional learning networks pursuant to Section 140 of Chapter 32 of the Statutes of 2018, who can provide coaching and training to other local educational agencies.

(3) The developed training series and resources shall include content on areas, including, but not limited to, all of the following:

(A) How to have conversations on complex issues such as race, language, disability, understanding community expertise, and sharing power.

(B) Engaging local educational agency and schoolsite staff in those trainings to build the knowledge, skillsets, and commitment of key staff in improving pupil, family, and community engagement.

(C) Focusing on and centering the voices of pupils, families, and communities in decisionmaking processes.

(D) Protocols for facilitating professional learning networks to help other communities and school districts improve and deepen their interactions, including the Community Engagement Initiative Protocol Toolkit, developed and tested by community engagement professional learning networks convened pursuant to Section 140 of Chapter 32 of the Statutes of 2018.

(E) Metrics for measuring increases in community engagement, including the metrics developed pursuant to subdivision (d).

(F) How to leverage the Community Engagement Initiative for transformational school investments and authentic pupil, family, community, and educator engagement, including, but not limited to, local control and accountability plans, expanded learning opportunity programs, and California Community School Partnership Act grants.

(4) The training series and resources shall be made publicly available, at no cost to local educational agencies statewide.

(5) The California Collaborative for Educational Excellence shall periodically update the trainings and resources, as needed, based on the findings of future community engagement professional learning networks and other research.

(f) For the 2022–23 fiscal year to the 2026–27 fiscal year, inclusive, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall convene 30 community engagement professional learning networks. Each of these professional learning networks shall be similar in composition to the teams described in subdivision (d) of Section 140 of Chapter 32 of the Statutes of 2018. These teams shall be willing to do all of the following:

(1) Participate in the professional learning network for no less than two years.

(2) Engage in open dialogue on issues related to improving local pupil outcomes.

(3) (A) Partner with other communities and school districts on improving community engagement.

(B) A partnership pursuant to subparagraph (A) shall include providing fiscal support to partnering organizations to support their capacity for meaningful collaboration and implementation of the Community Engagement Initiative.

(g) For the 2022–23 fiscal year, each of the professional learning networks created pursuant to subdivision (f) shall include as cofacilitators members of a team that participated in the initial community engagement professional

learning networks established pursuant to subdivisions (e) and (g) of Section 140 of Chapter 32 of the Statutes of 2018.

(h) Beginning on July 1, 2024, the professional learning networks created pursuant to subdivision (f) may also include as cofacilitators members of a team that participated in the initial community engagement professional learning networks established pursuant to subdivision (k) of Section 140 of Chapter 32 of the Statutes of 2018.

(i) Each of the professional learning networks established pursuant to subdivision (f) shall do both of the following:

(1) Deepen the community engagement of the school districts and communities participating in each professional learning network, including by engaging with the Community Engagement Protocol Toolkit developed by the community engagement professional learning networks established pursuant to Section 140 of Chapter 32 of the Statutes of 2018.

(2) Use the metrics developed pursuant to paragraph (3) of subdivision (f) of Section 140 of Chapter 32 of the Statutes of 2018 to measure changes in community engagement in each of the participating communities and school districts.

(j) The California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall incorporate learning recovery work, as authorized by the funds apportioned pursuant to Section 32526, into the training and resources provided to local educational agencies.

(k) By June 30, 2027, the California Collaborative for Educational Excellence and the lead agency selected pursuant to subdivision (c) shall submit a report to the executive director of the state board, the Superintendent, the executive director of the California Collaborative for Educational Excellence, each of the lead agencies identified pursuant to Section 52073, and the chairpersons of each of the appropriate policy and fiscal committees of the Legislature. The report shall include all of the following:

(1) A description of best practices for improving community engagement identified by the professional learning networks established under the Community Engagement Initiative and the Expansion, and any changes in the understanding of best practices throughout the duration of the Expansion.

(2) Using the definition and metrics identified pursuant to subdivision (d), an analysis of the impact of the work done by each team through the professional learning networks on their home communities and school districts.

(3) Feedback to improve the community engagement professional learning network protocol and metrics, and additional activities or resources that would assist in continued development of capacity within local educational agencies and local communities for conducting meaningful interestholder engagement.

(l) For the 2022–23 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the Superintendent for allocation to the California Collaborative for Educational Excellence to expand and strengthen the Community Engagement Initiative

pursuant to this section. The administrative agent of the California Collaborative for Educational Excellence, pursuant to policy and program direction from the governing board of the California Collaborative for Educational Excellence, shall develop the budget for the Community Engagement Initiative Expansion, subject to approval by the Department of Finance. Of the amount appropriated in this subdivision, five million dollars (\$5,000,000) shall be allocated to the administrative agent of the California Collaborative for Educational Excellence for costs associated with administering this program. All funds appropriated pursuant to this subdivision shall be available for encumbrance until June 30, 2029.

(m) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (l) 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. 78. Section 52075 of the Education Code is amended to read:

52075. (a) A complaint that a school district, county superintendent of schools, or charter school has not complied with the requirements of this article or Sections 47606.5 and 47607.3, as applicable, may be filed with a school district, county superintendent of schools, or charter school pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

(b) Consistent with subdivision (d) of Section 4600 of Title 5 of the California Code of Regulations, a complaint may be filed by any member of the public, including anyone electing to file anonymously, if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article.

(c) A complainant not satisfied with the decision of a school district, county superintendent of schools, or charter school may appeal the decision to the Superintendent and shall receive a written appeal decision within 60 days of the Superintendent’s receipt of the appeal.

(d) If a school district, county superintendent of schools, or charter school finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district, county superintendent of schools, or charter school shall provide a remedy to all affected pupils, parents, and guardians.

(e) If the Superintendent finds merit in an appeal of a complaint filed against a school district related to a local control and accountability plan approved by a county superintendent of schools, or finds merit in an appeal against a county superintendent of schools related to the approval of a school district’s local control and accountability plan, the Superintendent shall provide technical assistance to the county superintendent of schools focused on improving the county superintendent of schools’ review and approval of local control and accountability plans.

(f) Information regarding the requirements of this article shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations or any successor regulation.

(g) School districts, county superintendents of schools, and charter schools shall establish local policies and procedures to implement the provisions of this section on or before June 30, 2014.

SEC. 79. Section 53008 of the Education Code is amended to read:

53008. (a) (1) The Legislature finds and declares that screening pupils for risk of reading difficulties, including dyslexia, is one of many tools that educators can employ to gain information about how to support their pupils' learning. Screening should be considered part of a school's comprehensive instructional strategy, and should be used by educators like other types of formative and summative assessments: to inform individualized instruction, measure a pupil's progress, identify pupil learning needs, and enable parents and educators to discuss pupil needs in a more informed way.

(2) The Legislature further finds and declares that early identification and intervention with evidence-based early literacy instructional strategies and materials improves literacy outcomes for pupils at risk of, and with, reading difficulties, including dyslexia. Dyslexia is the most common learning disability; however, many pupils on the dyslexia spectrum struggle every day to read without proper identification and support. By screening all pupils for risk of reading difficulties early, California can help families and teachers achieve the best learning and life outcomes for all pupils and close academic achievement gaps.

(3) It is the intent of the Legislature that local educational agencies be provided funding to offset costs related to administering pupil screenings pursuant to this section if the Commission on State Mandates determines that this section contains costs mandated by the state, pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

(b) On or before January 31, 2024, the state board shall appoint an independent panel of experts for the purpose of creating an approved list of evidence-based, culturally, linguistically, and developmentally appropriate screening instruments for pupils in kindergarten and grades 1 and 2 to assess pupils for risk of reading difficulties, including possible neurological disorders such as dyslexia, pursuant to this section. The state board shall not appoint any person to the panel of experts with a financial interest in the screening instruments under consideration. The state board shall establish a review process, including how screening instruments will be evaluated against the criteria specified in subdivision (g), for the panel to use to evaluate and approve screening instruments. This subdivision does not prohibit the state board from periodically reconstituting this expert panel or updating the review process, nor does it prohibit the expert panel from periodically amending the list of screening instruments described in subdivision (c) at the request of the state board.

(c) (1) The work of the panel of experts appointed by the state board pursuant to subdivision (b) is subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) and all meetings of the panel are subject to the Bagley-Keene Open Meeting Act.

(2) On or before December 31, 2024, the panel of experts appointed by the state board shall, at a regularly scheduled public meeting, vote to approve a list of screening instruments pursuant to the review process and evaluation criteria established by the state board pursuant to subdivision (b). The list shall include screening instruments that are developed both for English-speaking pupils and for non-English speaking pupils, in languages reflecting the primary languages of pupils in the state, to the extent assessments in those languages are available. The panel of experts shall also identify information about the appropriate administration of each screening instrument, including the appropriate grade or grades for administration of each screening instrument.

(d) On or before June 30, 2025, the governing board or body of a local educational agency serving pupils in kindergarten or grades 1 or 2 shall adopt, at a public meeting, one or more screening instruments from the list adopted pursuant to subdivision (c) to assess pupils for risk of reading difficulties pursuant to this section. The screening instrument or instruments adopted shall provide assessments for both English-speaking pupils and non-English speaking pupils, in languages reflecting the primary languages of pupils in the local educational agency, to the extent assessments in those languages are available.

(e) Commencing no later than the 2025–26 school year, and annually thereafter, a local educational agency serving pupils in kindergarten or grades 1 or 2 shall assess each pupil in kindergarten and grades 1 and 2 for risk of reading difficulties using the screening instrument or instruments adopted by the governing board or body of the local educational agency pursuant to subdivision (d), unless the pupil’s parent or guardian opts out of the screening in writing. In determining when during the school year to administer each screening instrument, a local educational agency shall consider whether pupils have received sufficient instruction in foundational reading skills to support a valid assessment. Nothing in this section restricts local educational agencies from providing additional pupil screenings or diagnostic evaluations, as appropriate. Employees administering screening instruments shall be appropriately trained to administer the instrument.

(f) If a pupil enrolls for the first time in kindergarten or grades 1 or 2 after the screening instrument or instruments have been administered to all pupils in the given grade in that school year pursuant to subdivision (e), the local educational agency shall assess the pupil using the screening instrument or instruments adopted by the governing board or body of the local educational agency pursuant to subdivision (d) within 45 calendar days of enrollment, unless the pupil’s parent or guardian opts out of the screening in writing, or unless the parent or guardian provides documentation or the local educational agency has documentation that the pupil has had a similar

screening in their prior school for their current grade and the parent or guardian was made aware of the results.

(g) (1) To support the adoption of high-quality screening instruments that minimize the overidentification or underidentification of pupils' risk of reading difficulties, and offer meaningful information for followup, the state board shall consider the extent to which a screening instrument addresses the following factors when adopting evaluation criteria pursuant to subdivision (b):

(A) Use of direct measurement, supplemented by other pupil data, to determine if a pupil is at risk of a reading difficulty, including dyslexia.

(B) Measurement of domains that may predict dyslexia and other reading disorders, including, but not limited to, measures of oral language, phonological and phonemic awareness, decoding skills, letter-sound knowledge, knowledge of letter names, rapid automatized naming, visual attention, reading fluency, vocabulary, and language comprehension.

(C) Evidence that the tool is normed and validated using a contemporary multicultural and multilanguage sample of pupils, with outcome data for pupils whose home language is a language other than English as well as those who are native English speakers.

(D) Integration of relevant pupil demographic information, such as home language, English language fluency, and access to prekindergarten education, to more fully understand a pupil's performance.

(E) Guidance and resources for educators regarding how to administer screening instruments, interpret results, explain results to families, including in pupils' primary languages, and determine further educational strategies, assessments, diagnostics, and interventions that should be considered and that are specific to each type of pupil result. Guidance and resources provided pursuant to this subparagraph shall be informed by the English Language Arts/English Language Development Framework for California Public Schools developed pursuant to Section 60207 and the California Dyslexia Guidelines developed pursuant to Section 56335, as well as knowledge of effective interventions for the specific needs of individual pupils, and shall reflect a tiered interventions model aligned with the Multi-Tiered Systems of Support.

(2) Assessments administered pursuant to this section shall not be considered an evaluation or diagnostic tool to establish eligibility for special education and related services pursuant to the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or an evaluation to determine eligibility for a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794). However, assessments administered pursuant to this section shall not be used to delay the child find process required under the federal Individuals with Disabilities Education Act. Additionally, assessments administered pursuant to this section may be used by a local educational agency to recommend that a pupil receive further assessment and evaluation to establish eligibility for special education and related services pursuant to the federal Individuals

with Disabilities Education Act, or to determine eligibility for a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973.

(h) Pupils who do not speak sufficient English to be screened with an English-language instrument shall be screened pursuant to this section in their primary language if a screening instrument in their primary language approved pursuant to subdivision (c) is available. If a screening instrument is not available in at least one language in which a pupil is proficient, before the pupil can be screened, the pupil's risk for reading difficulties shall be evaluated through an analysis of the pupil's developmental history, educational history, and literacy progress, taking into account the pupil's home background and evolving English language abilities, including speaking, listening, reading, spelling, and writing, consistent with the California Dyslexia Guidelines. Components of screening instruments that do not require English language proficiency may be used in this evaluation. When a pupil acquires sufficient English language knowledge and fluency to be able to be assessed using a screening instrument pursuant to this section, or if a screening instrument in their primary language becomes available, the local educational agency shall assess that pupil using the appropriate screening instrument.

(i) A pupil may be exempted from the requirements of this section with the prior written consent of the parent or guardian if any of the following criteria are satisfied:

(1) The pupil has a current identification or diagnosis of a reading difficulty, reading disorder, or other disability.

(2) The pupil is eligible for special education and related services pursuant to the federal Individuals with Disabilities Education Act or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973.

(3) The pupil is in the process of being assessed for eligibility for special education and related services pursuant to the federal Individuals with Disabilities Education Act or a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, and the pupil is being evaluated with diagnostic assessments that make screening pursuant to this section redundant.

(j) A local educational agency shall provide parents or guardians of pupils eligible for screening pursuant to this section with information about the screening, including the date or dates of the screening and instructions for how parents or guardians can opt out of the screening on behalf of their child, no later than 15 calendar days before the administration of the screening instrument or instruments. A local educational agency is encouraged to provide information about screening pursuant to this section with other back-to-school materials at the beginning of the school year.

(k) Pupil results from assessments administered pursuant to this section shall be made available to the pupil's parent or guardian in a timely manner, but no more than 45 calendar days from the date the assessment was administered. These results shall include information about how to interpret the results, as well as the next steps pursuant to subdivision (l), if applicable.

(l) Screening results shall be used as a flag for potential risk of reading difficulties, not as a diagnosis of a disability. Results from a screening

instrument shall be used as part of a broader process that further evaluates pupil needs and progress, identifies supports for classroom instruction, enables targeted individual intervention as needed, and allows for further diagnosis if concerns do not resolve. Accordingly, if a pupil is identified as being at risk of having reading difficulties after being screened pursuant to this section, the local educational agency shall provide the pupil with supports and services, appropriate to the specific challenges identified by the screening instrument and other pertinent information about the pupil, which may include, among other supports and services, any of the following:

(1) Evidence-based literacy instruction focused on the pupil's specific needs.

(2) Progress monitoring.

(3) Early intervention in the regular general education program.

(4) One-on-one or small group tutoring.

(5) Further evaluation or diagnostic assessment.

(m) Results of an assessment administered pursuant to this section shall not be used for any high-stakes purpose, including, but not limited to, teacher or other school staff evaluation, accountability, pupil grade promotion or retention, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs.

(n) Notifications to parents or guardians provided pursuant to this section shall comply with the translation requirements set forth in Section 48985.

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

(1) "English learner" has the same meaning as defined in subdivision (a) of Section 306.

(2) "Kindergarten" shall not include transitional kindergarten, as defined in subdivision (d) of Section 48000.

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

(4) "Reading difficulties" means a barrier that impacts a pupil's ability to learn to read or improve reading abilities, including dyslexia.

(5) "Screening instrument" means a brief tool administered by an appropriately trained school employee, including, but not limited to, a certificated teacher of record, measuring discrete areas to determine pupils at risk of reading difficulties, including dyslexia.

SEC. 80. Section 56471 of the Education Code is amended to read:

56471. (a) The program shall be administered by the State Department of Education.

(b) The department shall establish an advisory committee. This committee will include representatives from local workability projects to ensure ongoing communications.

(c) The Superintendent shall develop criteria for awarding grants, funding, and evaluating workability projects.

(d) Eligible applicants shall include local educational agencies, including school districts, county offices of education, state special schools, and charter schools.

(e) Workability project applications shall include, but are not limited to, the following elements:

(1) recruitment, (2) assessment, (3) counseling, (4) preemployment skills training, (5) vocational training, (6) student wages for try-out employment, (7) placement in unsubsidized employment, (8) other assistance with transition to a quality adult life, and (9) utilization of an interdisciplinary advisory committee to enhance project goals.

SEC. 81. Section 56836.21 of the Education Code is amended to read:

56836.21. (a) The department shall administer an extraordinary cost pool to protect special education local plan areas from the extraordinary costs associated with single placements as described in subdivision (d). Funds shall be appropriated for this purpose in the annual Budget Act. Special education local plan areas shall be eligible for reimbursement from this pool in accordance with this section.

(b) The threshold amount for claims under this section shall be the lesser of the following:

(1) (A) Through the 2019–20 fiscal year, one percent of the allocation calculated pursuant to Section 56836.08 for the special education local plan area for the current fiscal year for any special education local plan area that meets the criteria in Section 56212.

(B) For the 2020–21 fiscal year and each fiscal year thereafter, one percent of the allocation calculated pursuant to Section 56836.08 for the special education local plan area for the 2019–20 fiscal year for any special education local plan area that met the criteria in Section 56212 for the 2019–20 fiscal year.

(2) The department shall calculate the average cost of a nonpublic, nonsectarian school placement in the 1997–98 fiscal year. This amount shall be multiplied by 2.5, then by one plus the inflation factor computed pursuant to Section 42238.1, as that section read on January 1, 2013, to obtain the alternative threshold amount for claims in the 1998–99 fiscal year. For the 2021–22 fiscal year, the alternative threshold amount shall be the alternative threshold amount for the prior fiscal year multiplied by one plus the inflation factor computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02, 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. For the 2022–23 fiscal year and for each fiscal year thereafter, the alternative threshold amount shall be the alternative threshold amount for the prior fiscal year multiplied by one plus the inflation factor computed pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(c) Special education local plan areas are eligible to submit claims for costs exceeding the threshold amount on forms developed by the department. All claims for a fiscal year shall be submitted by October 31 following the close of the fiscal year. If the total amount claimed by special education local plan areas exceeds the amount appropriated, the claims shall be prorated.

(d) Special education local plan areas are eligible to submit claims for the costs of nonpublic, nonsectarian school placements in excess of those

in existence in the 1997–98 fiscal year and the costs of special education and related services for pupils who reside in licensed children’s institutions.

SEC. 82. Section 60040.5 of the Education Code is amended to read:

60040.5. No later than July 1, 2025, the department shall issue guidance related to how to help school districts, county offices of education, charter schools, and school personnel manage conversations about race, ethnicity, nationality, and gender, and how to review instructional materials to ensure that they represent diverse perspectives and are culturally relevant.

SEC. 83. Section 60150 of the Education Code is amended to read:

60150. (a) If the Superintendent determines that a school district has not provided sufficient textbooks or instructional materials pursuant to clause (i) of subparagraph (B) of paragraph (5) of subdivision (i) of Section 1240 or subdivision (d) of Section 35186, the department shall take all remedial actions described in subparagraph (B) of paragraph (5) of subdivision (i) of Section 1240, including purchasing textbooks and instructional materials.

(b) (1) A school district that the Superintendent determines has not provided sufficient textbooks or instructional materials pursuant to subdivision (a) shall be assessed a financial penalty equal to the amount of funding the school district would have received for the 2012–13 fiscal year for the Instructional Materials Block Grant pursuant to Item 6110-189-0001 of Section 2.00 of the Budget Act of 2012, prior to the reduction pursuant to Section 12.42 of the Budget Act of 2012, as adjusted annually for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02 for the 2013–14 fiscal year through the fiscal year in which the school district was determined to have failed to provide sufficient textbooks or instructional materials.

(2) The financial penalty applied pursuant to paragraph (1) shall be a reduction to the principal apportionment made to the school district for the applicable fiscal year pursuant to Section 41330, 41332, or 41335, as applicable. However, a reduction pursuant to this subdivision shall not reduce the final apportionment below the amount necessary to meet the requirements of Section 6 of Article IX of the California Constitution, as specified in Section 41975, and Section 36 of Article XIII of the California Constitution.

SEC. 84. Section 60151 is added to the Education Code, immediately following Section 60150, to read:

60151. (a) If the Superintendent determines, pursuant to a complaint filed with the Superintendent directly or an appeal of a local educational agency decision regarding a complaint, that a local educational agency violated subdivision (a) of Section 244, the department shall notify the local educational agency that it must take corrective action. If corrective action is not taken within 60 days, the department may use any means authorized by law to effect compliance.

(b) A local educational agency that the Superintendent determines violated subdivision (a) of Section 244 shall be assessed a financial penalty against its local control funding formula allocation pursuant to Section 42238.02

or Section 42238.03, as applicable. The amount withheld shall not exceed the local educational agency's total expenditures on the textbooks, instructional materials, supplemental instructional materials, or curriculum found to violate subdivision (a) of Section 244.

SEC. 85. Section 60200 of the Education Code is amended to read:

60200. The state board shall adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, for governing boards, subject to the following provisions:

(a) The state board shall adopt at least five basic instructional materials for all applicable grade levels in each of the following subject areas:

(1) Language arts, including, but not limited to, spelling, reading, and English language development.

(2) Mathematics.

(3) Science.

(4) Social science.

(5) Bilingual or bicultural subjects.

(6) Any other subject, discipline, or interdisciplinary areas for which the state board determines the adoption of instructional materials to be necessary or desirable.

(b) (1) The state board shall adopt procedures for the submission of basic instructional materials in order to comply with each of the following:

(A) Instructional materials may be submitted for adoption in any of the subject areas pursuant to paragraphs (1) to (6), inclusive, of subdivision (a) at least once but not more than twice every eight years. The state board shall ensure that curriculum frameworks are reviewed and adopted in each subject area and that the criteria for evaluating instructional materials developed pursuant to subdivision (b) of Section 60204 are consistent with subdivision (c). The state board may prescribe reasonable conditions to restrict the resubmission of materials that have been previously rejected if those resubmitted materials have no substantive changes.

(B) If a publisher or manufacturer submits revisions to currently adopted instructional material for review after the timeframe specified by the state board, the department shall assess a fee on the submitting publisher or manufacturer in an amount that shall not exceed the reasonable costs to the department to conduct a review of the instructional material pursuant to this section.

(C) Submitted instructional materials shall be adopted or rejected within six months of the submission date of the materials pursuant to paragraph (1) unless the state board determines that a longer period of time, not to exceed an additional three months, is necessary due to the estimated volume or complexity of the materials for that subject in that year, or due to other circumstances beyond the reasonable control of the state board.

(D) The process for review of instructional materials shall involve review committees, which shall include, but not be limited to, volunteer content experts and instructional material reviewers, and shall be composed of a majority of classroom teachers from a wide variety of affected grade levels and subject areas.

(E) The rules and procedures for adoption of instructional materials shall be transparent and consistently applicable regardless of the format of the instructional materials, which may include, but not be limited to, print, digital, and open-source instructional materials.

(2) The implementation of this subdivision shall be contingent upon an appropriation for these purposes in the annual Budget Act or another statute. This paragraph is declaratory of existing law.

(c) In reviewing and adopting or recommending for adoption submitted basic instructional materials, the state board shall use the following criteria, and ensure that, in its judgment, the submitted basic instructional materials meet all of the following criteria:

(1) Are consistent with the criteria and the standards of quality prescribed in the state board's adopted curriculum framework. In making this determination, the state board shall consider both the framework and the submitted instructional materials as a whole.

(2) Comply with the requirements of Sections 60040, 60041, 60042, 60043, 60044, 60048, 60200.5, and 60200.6, and the state board's guidelines for social content.

(3) Are factually accurate and incorporate principles of instruction reflective of current and confirmed research.

(4) Are aligned to the content standards adopted by the state board in the subject area and the grade level or levels for which they are submitted.

(5) Do not contain materials, including illustrations, that provide unnecessary exposure to a commercial brand name, product, or corporate or company logo. Materials, including illustrations, that contain a commercial brand name, product, or corporate or company logo may not be used unless the state board determines that the use of the commercial brand name, product, or corporate or company logo is appropriate based on one of the following specific findings:

(A) If text, the use of the commercial brand name, product, or corporate or company logo in the instructional materials is necessary for an educational purpose, as defined in the guidelines or frameworks adopted by the state board.

(B) If an illustration, the appearance of a commercial brand name, product, or corporate or company logo in an illustration in instructional materials is incidental to the general nature of the illustration.

(6) Meet other criteria as are established by the state board as being necessary to accomplish the intent of Section 7.5 of Article IX of the California Constitution and of Section 1 of Chapter 1181 of the Statutes of 1989, provided that the criteria are approved by resolution at the time the resolution adopting the framework for the current adoption is approved, or at least 12 months before the date that the materials are to be approved for adoption.

(d) If basic instructional materials are rejected, the state board shall provide a specific, written explanation of the reasons why the submitted materials were not adopted, based on one or more of the criteria established under subdivision (c). In providing this explanation, the state board may

use, in whole or in part, materials written by the Superintendent or any other advisers to the state board.

(e) The state board may adopt fewer than five basic instructional materials in each subject area for each grade level if either of the following occurs:

(1) Fewer than five basic instructional materials are submitted.

(2) The state board specifically finds that fewer than five basic instructional materials meet the criteria prescribed by paragraphs (1) to (5), inclusive, of subdivision (c), or the materials fail to meet the state board's adopted curriculum framework. If the state board adopts fewer than five basic instructional materials in any subject for any grade level, the state board shall conduct a review of the degree to which the criteria and procedures used to evaluate the submitted materials for that adoption were consistent with the state board's adopted curriculum framework.

(f) This section does not limit the authority of the state board to adopt materials that are not basic instructional materials.

(g) Consistent with the quality criteria for the state board's adopted curriculum framework, the state board shall prescribe procedures to provide the most open and flexible materials submission system and ensure that the adopted materials in each subject, taken as a whole, provide for the educational needs of the diverse pupil populations in the public schools, provide collections of instructional materials that illustrate diverse points of view, represent cultural pluralism, and provide a broad spectrum of knowledge, information, and technology-based materials to meet the goals of the program and the needs of pupils.

(h) Upon making an adoption, the state board shall make available to listed publishers and manufacturers and all school interests a listing of instructional materials, including the most current unit cost of those materials as computed pursuant to existing law. Items placed upon lists shall remain thereon, and be available for procurement through the state's systems of financing, from the date of the adoption of the item and until a date established by the state board. The date established by the state board for continuing items on that list shall be the date on which the state board adopts instructional materials based on a new or revised curriculum framework. Lists of adopted instructional materials shall be made available by subject and grade level to school districts and posted on the department's internet website, and shall include information from the reports of findings from the review committees pursuant to paragraph (4) of subdivision (b). The lists shall terminate and shall no longer be effective on the date prescribed by the state board pursuant to this subdivision.

(i) The state board may approve multiple lists of instructional materials, without designating a grade or subject, and the state board may designate more than one grade or subject whenever it determines that a single subject designation or a single grade designation would not promote the maximum efficiency of pupil learning. Any materials so designated may be placed on single grade or single subject lists, or multigrade or interdisciplinary lists, or may be placed on separate lists including other materials with similar grade or subject designations.

(j) A composite listing in the format of an order form may be used to meet the requirements of this section.

(k) The lists maintained pursuant to this section shall not be deemed to control the use period by any school district.

(l) The state board shall give publishers the opportunity to modify instructional materials, in a manner provided for in regulations adopted by the state board, if the state board finds that the instructional materials do not comply with paragraph (5) of subdivision (c).

(m) This section does not prohibit the publisher of instructional materials from including whatever corporate name or logo on the instructional materials that is necessary to provide basic information about the publisher, to protect its copyright, or to identify third-party sources of content.

(n) The state board may adopt regulations that provide for other exceptions to this section, as determined by the state board.

(o) The Superintendent shall develop, and the state board shall adopt, guidelines to implement this section.

SEC. 86. Section 60227 is added to the Education Code, to read:

60227. (a) For purposes of this section, a followup adoption is any adoption other than the primary adoption that occurs pursuant to subdivision (b) of Section 60200.

(b) Before conducting a followup adoption in the subject areas of language arts and mathematics, the department shall post an appropriate notice on the its internet website pursuant to subdivision (c) and notify all publishers or manufacturers known to produce basic instructional materials in that subject area.

(c) The notice shall specify that each publisher or manufacturer choosing to participate in the followup adoption shall be assessed a fee based on the number of programs the publisher or manufacturer indicates will be submitted for review and the number of grade levels proposed to be covered by each program.

(d) The amount of the fee shall not exceed the reasonable costs to the department to conduct the followup adoption process pursuant to this section. The department shall take reasonable steps to limit costs of the followup adoption and to keep the fee modest, recognizing that some of the work necessary for the primary adoption need not be duplicated.

(e) The department, before incurring substantial costs for the followup adoption, shall require that a publisher or manufacturer who wishes to participate in the followup adoption first declare an intent to submit one or more specific programs for the followup adoption and specify the specific grade levels to be covered by each program. After a publisher or manufacturer has declared an intent to submit one or more programs and the grade levels to be covered by each program, the department shall assess a fee. The fee shall be payable by the publisher or manufacturer even if the publisher or manufacturer subsequently chooses to withdraw a program or reduce the number of grade levels covered. A submission by a publisher or manufacturer shall not be reviewed for purposes of adoption, either in a

followup adoption or in any other primary or followup adoption conducted thereafter, until the fee assessed has been paid in full.

(f) (1) It is the intent of the Legislature that the fee not be so substantial that it prevents small publishers or manufacturers from participating in a followup adoption.

(2) Upon the request of a small publisher or manufacturer, the state board may reduce the fee for participation in the followup adoption.

(3) For purposes of this section, “small publisher” and “small manufacturer” mean an independently owned or operated publisher or manufacturer that is not dominant in its field of operation, and that, together with its affiliates, has 100 or fewer employees, and has average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years.

(g) Revenue derived from fees charged pursuant to subdivision (e) shall be budgeted as reimbursements and subject to review through the annual budget process and may be used to pay costs associated with any adoption and any costs associated with the review of instructional materials.

(h) If the department determines that there is little or no interest by publishers and manufacturers in participating in a followup adoption, the department shall recommend to the state board that the followup adoption not be conducted and the state board may choose not to conduct the followup adoption.

(i) General Fund revenue shall not be used for the cost of conducting a followup adoption pursuant to this section, except that General Fund revenue appropriated to the Instructional Quality Commission in the annual Budget Act may be used to support the operational costs of the Instructional Quality Commission necessary to take action on the adoption.

(j) It is the intent of the Legislature that, notwithstanding any other law or regulation, consistent with subdivision (b) of Section 144 of Chapter 44 of the Statutes of 2021 (Assembly Bill 130 of the 2021–22 Regular Session) and to carry out the purposes of this chapter, the state board consider approval of high-quality online instructional materials, including open educational resources.

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

SEC. 87. Section 60900 of the Education Code is amended to read:

60900. (a) The department shall contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the tests administered pursuant to Chapter 5 (commencing with Section 60600) and Chapter 7 (commencing with Section 60810). The longitudinal data shall be known as the California Longitudinal Pupil Achievement Data System.

(b) The proposals developed pursuant to subdivision (a) shall evaluate and determine whether it would be most effective, from a fiscal and a technological perspective, for the state to own the system. The proposals shall additionally evaluate and determine the most effective means of housing the system.

(c) The California Longitudinal Pupil Achievement Data System shall be developed and implemented in accordance with all state rules and regulations governing information technology projects.

(d) The system or systems developed pursuant to this section shall be used to accomplish all of the following goals:

(1) To provide school districts and the department access to data necessary to comply with federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

(2) To provide a better means of evaluating educational progress and investments over time.

(3) To provide local educational agencies with the data needed to improve pupil achievement, including college and career readiness.

(4) To provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level data between and among the state's educational segments and operational tools, as defined in Section 10861, including, but not limited to, all of the following:

(A) Pupil level data from all grade levels, including transitional kindergarten programs, as described in Section 48000, that shall be collected separately from kindergarten pupil data, in elementary and secondary schools, including, but not limited to, juvenile court schools, alternative schools, continuation schools, special education schools, and adult educational programs offering a high school diploma or equivalency.

(B) Pupil level data collected in detention and nondetention settings.

(C) Pupil level data to postsecondary educational institutions and the Student Aid Commission.

(5) To facilitate the ability of the state to publicly report data, as specified in Section 6401(e)(2)(D) of the federal America COMPETES Act (20 U.S.C. Sec. 9871) and as required by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

(6) To ensure that any data access provided to researchers, as required pursuant to the federal Race to the Top regulations and guidelines is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g).

(e) In order to comply with federal law as delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), the local educational agency shall retain individual pupil records for each test taker, including all of the following:

(1) All demographic data collected from the California Assessment of Student Performance and Progress (CAASPP) and English language development tests.

(2) Pupil achievement data from assessments administered pursuant to the CAASPP and English language development testing programs. To the extent feasible, data should include subscore data within each content area.

(3) A unique pupil identification number, to be identical to the pupil identifier developed pursuant to the California School Information Services, that shall be retained by each local educational agency and used to ensure

the accuracy of information on the header sheets of the CAASPP tests and the English language development test.

(4) All data necessary to compile reports required by the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), including, but not limited to, dropout and graduation rates.

(5) Other data elements deemed necessary by the Superintendent, with the approval of the state board, to comply with the federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), and the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), after review and comment by the advisory board convened pursuant to subdivision (j). Before the implementation of this paragraph with respect to adding data elements to the California Longitudinal Pupil Achievement Data System for the purpose of complying with the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the department and the appropriate postsecondary educational agencies shall submit an expenditure plan to the Department of Finance detailing any administrative costs to the department and costs to any local educational agency, if applicable. The Department of Finance shall provide to the Joint Legislative Budget Committee a copy of the expenditure plan within 10 days of receipt of the expenditure plan from the department.

(6) To enable the department, the University of California, the California State University, and the Chancellor of the California Community Colleges to meet the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), these entities shall be authorized to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems, to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(f) To accomplish the goals and requirements set forth in subdivisions (d) and (e), local educational agencies shall do all of the following:

(1) Submit data to the department according to the processes and timelines established by the department.

(2) After any schoolsite closure, inform the department of the schoolsite closure within 10 business days of the last day that pupils were no longer enrolled at the schoolsite.

(3) Submit grades 9 to 12, inclusive, pupil transcript information to the California College Guidance Initiative, as authorized pursuant to Section 60900.5, according to processes and timelines established by the California College Guidance Initiative in the format approved by the Superintendent. In complying with this paragraph, the duties of local educational agencies shall include, but are not limited to, all of the following:

(A) Including in their parent notifications, as required by the federal Family Education Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), a distinct notification that data may be shared with the California College Guidance Initiative in order to do both of the following:

(i) Provide pupils and their families with direct access to online tools and resources for college and career planning.

(ii) Enable a pupil to transmit information shared with the California College Guidance Initiative to both of the following:

(I) Institutions of higher education for purposes of admissions and academic placement.

(II) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

(B) Entering into a data sharing agreement with the California College Guidance Initiative on or before January 1, 2026. These agreements shall not be subject to the requirements of Section 49073.1.

(C) Providing, on or before June 30, 2026, the California College Guidance Initiative with initial data files, pursuant to the California High School Transcript and Student Record Portability Standard, as acknowledged by the Office of Cradle-to-Career Data, and the accompanying data file specifications.

(D) Completing the steps necessary to provide transcript-informed accounts to all pupils in any of grades 9 to 12, inclusive.

(E) Providing data files or authorizing the California College Guidance Initiative to access data pursuant to this paragraph as follows:

(i) In a manner as agreed to between the California College Guidance Initiative and the local educational agency.

(ii) To confirm completed courses, final grades, and graduation dates of pupils, in a format and as determined by the California College Guidance Initiative, for purposes of admissions to the California State University and the University of California.

(iii) Through either an application programming interface or a secure file transfer protocol.

(g) On or before June 30, 2026, using reports on CaliforniaColleges.edu and technical assistance from the California College Guidance Initiative, local educational agencies shall ensure that data needed to verify course eligibility to fulfill the A–G admissions requirements of the University of California and the California State University is accurate and up to date. This includes, but is not limited to, all of the following:

(1) Confirming that each course is properly coded and registered in the University of California A–G course management portal at the office of the President of the University of California.

(2) Ensuring that pupils transferring from local educational agencies get full credit for prior A–G coursework by complying with the California High School Transcript and Student Record Portability Standard, as acknowledged by the Office of Cradle-to-Career Data.

(3) Maintaining at least a 90 percent rate of alignment between A–G coursework, as listed in the local pupil information system, and how those

courses are registered in the University of California A–G course management portal at the office of the President at the University of California.

(4) Ensuring that dual enrollment courses are flagged based on the California High School Transcript and Student Record Portability Standard, developed by the department pursuant to subdivision (c) of Section 60900.5.

(h) The California Longitudinal Pupil Achievement Data System shall have all of the following characteristics:

(1) The ability to sort by demographic element collected from the CAASPP tests and English language development test.

(2) The capability to be expanded to include pupil achievement data from multiple years.

(3) The capability to monitor pupil achievement on the CAASPP tests and English language development test from year to year and school to school.

(4) The capacity to provide data to the state and local educational agencies upon their request.

(5) The capability to provide data to support individual pupil accounts, as described in paragraph (1) of subdivision (b) of Section 60900.5.

(i) Data elements and codes included in the system shall comply with Sections 49061 to 49079, inclusive, and Sections 49602 and 56347, with Sections 430 to 438, inclusive, of Title 5 of the California Code of Regulations, with the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code), and with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), Section 1232h of Title 20 of the United States Code, and related federal regulations.

(j) The department shall convene an advisory board consisting of representatives or designees from the state board, the Department of Finance, the State Privacy Ombudsman, the Legislative Analyst’s Office, representatives of parent groups, school districts, and local educational agencies, and education researchers to establish privacy and access protocols, provide general guidance, and make recommendations relative to data elements. The department is encouraged to seek representation broadly reflective of the general public of California.

(k) This section shall be implemented using federal funds received pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for purposes of this section in Item 6110-113-0890 of Section 2.00 of the Budget Act of 2002 (Chapter 379 of the Statutes of 2002). The release of these funds is contingent on approval of an expenditure plan by the Department of Finance.

(l) For purposes of this chapter, a local educational agency shall include a county office of education, a school district, and a charter school.

SEC. 88. Section 60900.5 of the Education Code is amended to read:

60900.5. (a) The California College Guidance Initiative (CCGI), as defined in Section 10861, is hereby authorized to provide its services to all local educational agencies.

(b) In furtherance of paragraph (5) of subdivision (b) of Section 10867, the department shall enter into a memorandum of understanding with the CCGI, as authorized in subdivision (a), to accomplish all of the following:

(1) Share pupil course level data to inform individual pupil accounts on the operational tools.

(2) Collect additional data elements to ensure proper functioning and to incentivize use of the operational tools.

(3) Share pupil level data with the Student Aid Commission, postsecondary educational institutions, and programs that support college and career planning, application, and transition, as permitted under the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(4) Notwithstanding subdivision (g) of Section 10860 and subdivision (c) of Section 10863, fully effectuate the intent of the California Cradle-to-Career Data System Act pursuant to Chapter 8.5 (commencing with Section 10850) of Part 7 of Division 1 of Title 1.

(c) The department, the California State University, the University of California, the California Community Colleges, and the Student Aid Commission shall promote the California High School Transcript and Student Record Portability Standard, which is maintained in a repository of data standards at the Office of Cradle-to-Career Data and managed by the CCGI for use by all local educational agencies that serve pupils in grades 9 to 12, inclusive, to support uniformity of electronic student transcript data.

(d) The department shall provide guidance to local educational agencies through CalPADS to clarify data standards and promote best practices.

(e) The department shall refer local educational agencies to CCGI for technical assistance in reconciling discrepancies between A–G coursework, as listed in their local pupil information system, and how those courses are registered in the University of California Course Management Portal at the office of the President of the University of California, or a successor A–G course management portal.

(f) The department shall inform local educational agencies of the additional use of data submitted to CCGI pursuant to paragraph (3) of subdivision (f) of Section 60900, and advise local educational agencies to include in their annual parent notifications, as required by the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g), that the data will:

(1) Be shared with the CCGI.

(2) Be used to provide pupils and families with direct access to online tools and resources.

(3) Enable a pupil to transmit information shared with the CCGI to both of the following:

(A) Postsecondary educational institutions for purposes of admissions and academic placement.

(B) The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

(g) The Legislature finds and declares its intent that the CCGI, upon full implementation and ongoing administration of this section, provide all of the following services:

(1) A free college and career planning curriculum and internet website for grades 6 to 12, inclusive, designed to provide touch points three to six times per year.

(2) Financial aid curriculum for grades 9 to 12, inclusive, and developed in consultation with the Student Aid Commission.

(3) Support to local educational agencies to plan for and monitor use of planning tools and curriculum.

(4) Tools to enable pupils and their families to determine if they are on track to meet college qualifications, based on their individual goals, and to allow authorized secondary school counselors to view the progress of individual pupils on meeting California State University and University of California eligibility requirements.

(5) Validation of data relating to A–G admission requirements in local pupil information systems that is flagged with respect to the University of California Course Management Portal.

(6) Technical assistance to local educational agencies on data cleanup processes.

(7) Providing statewide pupil identification numbers to the California Community Colleges, the California State University, the University of California, and the Student Aid Commission so that information stored in local systems will improve matches for research purposes and the California Cradle-to-Career Data System.

(8) Transcripts processed in near real time with the California Community Colleges, the California State University, the University of California, and the Student Aid Commission, using an application programming interface.

(9) Inform the California Community Colleges, the California State University, and the University of California of high school pupils' demographic and program participation information, including, but not limited to, whether they are a first-generation college student, homeless, migrant, or economically disadvantaged.

(10) Provide information and data on race or ethnicity, grade point average, high school graduation status, pupil and parent contact information, and where pupils applied to college to the Student Aid Commission through a faster application programming interface format and pursuant to a memorandum of understanding. This process shall only go into effect after data-sharing agreements have been established pursuant to subparagraph (B) of paragraph (3) of subdivision (f) of Section 60900 between all California local educational agencies and the California College Guidance Initiative, and the California College Guidance Initiative has received complete data files from all local educational agencies pursuant to paragraph (3) of subdivision (f) of Section 60900.

(11) Prepopulation of California Community Colleges, California State University, and University of California application fields related to

statewide pupil identification numbers, transcript data, demographic information, and other data elements that can reduce barriers for pupils.

(12) Development of new planning tools related to career and technical education pathways, apprenticeships, transfer options, and regional labor markets.

(h) The scaling of the CCGI is further intended to address all of the following problems and state needs:

(1) Reduce equity gaps in college-going rates by ensuring that all pupils and their families have the information needed to develop college and career plans, starting in grade 6, and to secure financial aid.

(2) Enable secondary school counselors to monitor where pupils are applying and support them to complete applications.

(3) Identify secondary school courses that are incorrectly flagged as fulfilling California State University and University of California eligibility requirements compared to the University of California Course Management Portal.

(4) Reduce structural barriers by allowing pupils to launch college and financial aid applications from a single location, using one set of log on credentials.

(5) Ensure that pupils can easily and quickly transmit academic records to public postsecondary educational institutions when applying for admission.

(6) Share additional information with the Student Aid Commission to validate and reduce the time to determine eligibility for Cal Grant awards.

(7) Reduce the administrative burden on local educational agencies and colleges to transmit and validate records.

(8) Strengthen data that can be used to match pupil records.

(i) On or before September 1, 2022, and on or before September 1 of each year thereafter, the Riverside County Office of Education, in collaboration with the department, shall report to the Director of Finance and the Joint Legislative Budget Committee regarding the annual budget for the CCGI as supported through the annual Budget Act. The annual report due on or before September 1, 2022, shall only address any changes to the first annual report provided in March 2022 pursuant to this subdivision. Each annual report thereafter shall include, but not necessarily be limited to, all of the following information:

(1) All other public and private sources of revenue.

(2) How prior fiscal year funds were spent and current fiscal year funds are budgeted to be spent.

(3) A budget change proposal, if any additional funds are being requested for the budget year.

(4) The names and locations of local educational agencies that have partnered with the CCGI, including identification of local educational agencies that were added in the prior fiscal year and are intended to be added in the budget year.

(5) The names of postsecondary educational agencies that have partnered with the CCGI, including identification of postsecondary educational agencies that were added in the prior fiscal year and the budget year and

identification of any postsecondary educational agencies that terminated their partnership with the CCGI.

(6) Internet website analytics on identifying the number of accounts, types of activities completed, and the number of pupils that applied to college via the CCGI.

(7) Information on progress towards meeting the deliverables expected of the CCGI pursuant to subdivision (a).

SEC. 89. Section 60901 of the Education Code is amended to read:

60901. (a) Contingent upon the receipt of federal funds for this purpose, the department, in consultation with the Department of Finance and the Legislative Analyst's Office, shall prepare the California Longitudinal Pupil Achievement Data System established pursuant to Section 60900 to include data on a quarterly rate of pupil attendance. Preparation shall include all of the following:

(1) The addition of fields to facilitate the transfer of data.

(2) System development activities including any business rules and definitions that would be needed to improve the quality and consistency of the data.

(3) Processes for the transfer of data from local educational agencies.

(4) Consultation with organizations representing school, district, and county education administrators, classified and certified staff, and parents in order to develop the criteria and frequency of reports on pupil attendance data and other indicators as may be submitted by local educational agencies.

(b) The system shall support local educational agencies in their efforts to identify and support pupils at risk of dropping out and shall be capable of issuing to local educational agencies periodic reports that include, but may not be limited to, district, school, class, and individual pupil reports on both of the following:

(1) Rates of absence.

(2) Chronic absentees.

(c) (1) For purposes of this section, "chronic absentee" means a pupil who is absent on 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

(2) Once available, chronic absentee rates shall be incorporated into the annual report on dropouts required pursuant to Section 48070.6.

(3) In addition to the calculation of absentee rates performed pursuant to paragraph (1), once the department has completed and reported the collection of data pursuant to paragraph (4) of subdivision (d) of Section 46211, the department shall also report an alternate chronic absenteeism rate calculation, which includes pupil attendance accrued through an attendance recovery program pursuant to Sections 46210 and 46211.

(d) It is the intent of the Legislature to support the development of early warning systems to enable the identification and support of individual pupils who are at risk of academic failure or dropping out of school. The systems shall encompass the following characteristics:

(1) The utilization of highly predictive indicators, including attendance, course grades or completion, performance on assessments of pupil achievement, suspensions, and expulsions.

(2) A thorough validation process to ensure the predictive reliability of the systems.

(3) Periodic reports that inform principals, teachers, and parents in a manner that enables timely identification and support of individual pupils who are at risk of academic failure or dropping out.

(e) When the system established pursuant to Section 60900 is prepared to accept data on a quarterly rate of pupil attendance, a local educational agency may submit data to the department on a quarterly rate of pupil attendance and other indicators as identified by the department. It is the intent of the Legislature that schools identified on the list of persistently lowest-achieving schools will fully utilize the early warning systems described in subdivision (d).

(f) A local educational agency that reports attendance data for pupils to the system established pursuant to Section 60900 may request, and the department shall provide, the early warning report described in subdivision (d) up to four times each school year.

(g) The department shall notify local educational agencies that reporting pupil attendance and chronic absentee data pursuant to this section is voluntary. The notice shall include a description of the benefits of reporting pupil attendance and chronic absentee data in fostering the development of effective supports and interventions for at-risk pupils.

(h) This section shall not be implemented unless federal funds are appropriated specifically for the purposes of this section.

SEC. 90. Article 4.1 (commencing with Section 66032) is added to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, to read:

Article 4.1. Inclusive College for Students with Intellectual Disabilities

66032. (a) It is the intent of the Legislature that the California Center for Inclusive College increase awareness of, and access to, inclusive and experiential postsecondary education and employment opportunities for students with intellectual disabilities through degree, certificate, or nondegree programs that ideally include an independent living component.

(b) It is the intent of the Legislature to establish statewide support and coordination of the dissemination of information regarding programs and services for students with intellectual disabilities.

(c) It is the intent of the Legislature that the California Center for Inclusive College increase access to meaningful postsecondary education credentials and work experiences to afford students with intellectual disabilities inclusive and meaningful campus experiences to prepare for gainful employment and community living.

(d) It is further the intent of the Legislature that the California Center for Inclusive College support the establishment and expansion of programs on

college campuses that model inclusivity of all students, including those with intellectual disabilities.

66032.1. For purposes of this article, the following definitions apply:

(a) “California Center for Inclusive College” or “center” means the California Center for Inclusive College established pursuant to this article.

(b) “Inclusive college program” means a college program administered by a public postsecondary educational institution for students with intellectual disabilities in the state that offers students an inclusive program of study that includes opportunities to take courses, learn independent living skills, have employment experiences, and engage in social activities and organizations in a setting with other peers with and without disabilities, and that requires students with intellectual disabilities to have at least one-half of their participation in the program, as determined by the institution, focus on academic components through one or more of the following activities:

(1) Taking credit-bearing courses with students with and without disabilities.

(2) Auditing or otherwise participating in courses with students with and without disabilities for which the student does not receive regular academic credit.

(3) Taking noncredit-bearing, nondegree courses with students with and without disabilities.

(4) Participating in internships or work-based training in settings with individuals with and without disabilities.

(c) “Public postsecondary educational institution” means the California State University, the University of California, or the California Community Colleges, and each campus, branch, and function thereof.

66032.2. (a) The California Center for Inclusive College is hereby established and shall be administered by the county office of education selected pursuant to subdivision (b), working in partnership with its local regional center, its local public postsecondary educational institutions, and the University of California, Davis MIND Institute.

(b) Commencing with the 2024–25 fiscal year, the sum of two million dollars (\$2,000,000) shall be annually appropriated each fiscal year from the General Fund to the Superintendent to, in consultation with the executive director of the State Board of Education, allocate to a county office of education selected to administer the center consistent with this section.

(c) The responsibilities of the center shall include, but are not limited to, all of the following:

(1) Assisting inclusive college programs in aligning with the federal requirements, standards, and quality indicators identified by the National Center for Information and Technical Support for Postsecondary Students with Disabilities and the coordinating center described in 20 U.S.C. Sec. 1140q(b), pursuant to 20 U.S.C. Sec. 1140q.

(2) Assisting inclusive college programs with the development and submission of federal comprehensive transition and postsecondary program applications.

(3) Facilitating collaboration between local educational agencies, regional centers, local Department of Rehabilitation field offices, and inclusive college programs to support students with intellectual disabilities and their parents, families, and supporters to plan for postsecondary transition.

(4) Assisting public postsecondary educational institutions and inclusive college programs with the identification of potential funding sources to establish, sustain, or expand upon inclusive college programs, including student financial assistance opportunities.

(5) Supporting inclusive college programs with guidance and assistance when applying for potential funding sources and student financial assistance opportunities.

(6) Holding meetings and annual workshops to share best practices and provide technical assistance on developing and establishing an inclusive college program, including opportunities to transition two-year programs to four-year programs and to incorporate a residential living component.

(7) Disseminating to local educational agencies, local Department of Rehabilitation field offices, and regional centers information about, but not limited to, all of the following:

(A) Education programs, services, and resources that are available at inclusive college programs.

(B) Supports, accommodations, technical assistance, and training provided by inclusive college programs.

(C) Mentoring, networking, and employment opportunities available at inclusive college programs.

(8) Meeting regularly with interested parties, including, but not limited to, people with intellectual disabilities and their parents, families, and supporters; staff of the State Department of Education, the State Board of Education, the State Department of Developmental Services, the Department of Rehabilitation, and the State Council on Developmental Disabilities; and public postsecondary educational institutions, with the goal of providing continuous improvement to the delivery of inclusive college programs to students with intellectual disabilities, by doing both of the following:

(A) Identifying federal grant funding opportunities for state agencies and assisting inclusive college programs in investigating options for long-term programmatic and fiscal sustainability.

(B) Sharing best practices, barriers, and challenges to establishing or expanding inclusive college programs.

(d) (1) For the 2024–25 fiscal year, of the amount appropriated pursuant to subdivision (b), up to five hundred thousand dollars (\$500,000) shall be available for the center to convene an advisory workgroup consisting of representatives from at least two, but not more than five, existing inclusive college programs throughout the state to consult with the center and to do all of the following:

(A) Collect and share best practices for inclusive college programs.

(B) Advise and assist the center in determining areas of greatest need for technical assistance for inclusive college programs.

(C) Support the center in exploring methods of capacity building to strengthen existing inclusive college programs.

(2) Each inclusive college program with representatives in the advisory workgroup shall be reimbursed for any actual and necessary expenses incurred in connection with their participation in the advisory workgroup, in an amount not to exceed one hundred thousand dollars (\$100,000) for each inclusive college program.

(e) To the extent practicable, the center shall leverage resources from the National Center for Information and Technical Support for Postsecondary Students with Disabilities and the coordinating center described in 20 U.S.C. Sec. 1140q(b), pursuant to 20 U.S.C. Sec. 1140q, for best practices, frameworks, and effective implementation of programs for students with disabilities, including long-term planning to increase inclusive college programs.

(f) Beginning in the 2025–26 fiscal year, and annually thereafter, on or before March 1 each fiscal year, the center shall provide to the Governor, the Legislature, and the Department of Finance a report regarding the implementation of this section; relevant data, including, but not limited to, student activities and demographic information, to the extent feasible and meaningful to measure access, equity, and outcomes; and recommendations to expand evolving best practices.

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

SEC. 91. Section 69432.9 of the Education Code is amended to read:

69432.9. (a) A Cal Grant applicant shall submit a complete official financial aid application pursuant to Section 69433 and applicable regulations adopted by the commission. Each pupil enrolled in grade 12 in a California public school, including a charter school, other than pupils who opt out as provided in subdivision (d), shall be deemed to be a Cal Grant applicant.

(b) Financial need shall be determined to establish an applicant’s initial eligibility for a Cal Grant award and a renewing recipient’s continued eligibility using the federal financial need methodology pursuant to subdivision (a) of Section 69506 and applicable regulations adopted by the commission, and as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.).

(1) “Expected family contribution,” with respect to an applicant or renewing recipient, shall be determined using the federal methodology pursuant to subdivision (a) of Section 69506 (as established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.)) and applicable rules and regulations adopted by the commission.

(2) “Financial need” means the difference between the student’s cost of attendance as determined by the commission and the expected family contribution. The calculation of financial need shall be consistent with Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.).

(3) (A) The minimum financial need required for receipt of an initial and renewal Cal Grant A or C award shall be no less than the maximum annual award value for the applicable institution, plus an additional one thousand five hundred dollars (\$1,500) of financial need.

(B) The minimum financial need required for receipt of an initial and renewal Cal Grant B award shall be no less than seven hundred dollars (\$700).

(4) Notwithstanding paragraphs (2) and (3), for the 2020–21 and 2021–22 award years, a student with an initial or renewal Cal Grant A award impacted by a change in the student’s living status, from living on-campus to living off-campus or from living on-campus to living at home, due to the COVID-19 pandemic, shall have the student’s eligibility for the initial or renewal Cal Grant A award calculated based on what it would have been had the change in the student’s living status due to the COVID-19 pandemic not occurred.

(c) (1) The commission shall require that a grade point average be submitted to it for all Cal Grant A and B applicants, except for those permitted to provide test scores in lieu of a grade point average or as provided in subclause (II) of clause (iii) of subparagraph (B) of paragraph (2).

(2) (A) Upon implementation of transcript-informed accounts for pupils in grades 9 to 12, inclusive, on the CaliforniaColleges.edu platform, the commission shall require that any grade point average data required for eligibility for student financial aid programs be submitted by local educational agencies through the California College Guidance Initiative established by Section 60900.5.

(B) (i) The commission shall require that a grade point average be submitted to it electronically on a standardized form for all grade 12 pupils at public schools, including charter schools, no later than October 1 of each academic year, except for pupils who have opted out as provided in subdivision (d). Social security numbers shall not be included in the information submitted to the commission. However, if the commission determines that a social security number is required to complete the application for financial aid, the school, school district, or charter school may obtain permission from the parent or guardian of the pupil, or the pupil, if the pupil is 18 years of age, to submit the pupil’s social security number to the commission.

(ii) The commission shall require that each report of a grade point average include a certification, executed under penalty of perjury, by a school official, that the grade point average reported is accurately reported. The certification shall include a statement that it is subject to review by the commission or its designee.

(iii) (I) The commission shall adopt regulations that establish a grace period for receipt of the grade point average and any appropriate corrections, and that set forth the circumstances under which a student may submit a specified test score designated by the commission, by regulation, in lieu of submitting a qualifying grade point average.

(II) Notwithstanding subclause (I), for the 2021–22 award year, commission staff may waive the requirement to submit a test score in lieu of a qualifying grade point average for a student who does not have a grade point average and is unable to submit a test score due to unavailability of designated testing due to the COVID-19 pandemic. The commission shall require a student seeking a waiver under this subclause to submit a signed certification verifying they were prevented from taking and submitting a test score in lieu of a qualifying grade point average due to the COVID-19 pandemic. For purposes of consideration for a Cal Grant A or B Entitlement award when applying with a waiver under this subclause for the 2021–22 award year, students shall have until May 16, 2021, to complete and submit their financial aid application and signed certification verifying they were prevented from taking and submitting a test score in lieu of a qualifying grade point average.

(iv) The requirements of this subparagraph shall become inoperative upon the submission by the commission of any required grade point average through the Cradle-to-Career Data System pursuant to subparagraph (A).

(3) It is the intent of the Legislature that high schools and institutions of higher education certify the grade point averages of their students in time to meet the application deadlines imposed by this chapter.

(4) (A) It is the intent of the Legislature that the commission make available to each high school and school district a report identifying all grade 12 pupils within the high school or school district, respectively, who have and have not completed the Free Application for Federal Student Aid or the California Dream Act application.

(B) The requirements of this paragraph shall become inoperative upon the submission by the local educational agency of any required grade point average through the Cradle-to-Career Data System pursuant to subparagraph (A) of paragraph (2).

(d) (1) The school district or charter school shall, no later than January 1 of a pupil's grade 11 academic year, notify, in writing, each grade 11 pupil and, for a pupil under 18 years of age, the pupil's parent or guardian that, pursuant to subdivision (a), the pupil will be deemed a Cal Grant applicant unless the pupil opts out within a period of time specified in the notice, which shall not be less than 30 days. The required notice shall indicate when the school will first send grade point averages to the commission and the submission deadline of October 1. The school district or charter school shall provide an opportunity for the pupil to opt out of being automatically deemed a Cal Grant applicant.

(2) Until a pupil turns 18 years of age, only a parent or guardian may opt the pupil out. Once a pupil turns 18 years of age, only the pupil may opt the

pupil out and, if before the conclusion of the notice period, the pupil may opt in over the prior decision of a parent or guardian to opt out.

SEC. 92. Section 69617 of the Education Code is amended to read:

69617. (a) (1) (A) Subject to moneys appropriated by the Legislature for purposes of this section, the commission shall administer the Golden State Teacher Grant Program. Under the program, the commission shall provide one-time grant funds of up to twenty thousand dollars (\$20,000) to each student enrolled, or who has applied for enrollment, on or after January 1, 2020, to June 30, 2024, inclusive, in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential, at either a qualifying institution, as defined in subdivision (l) of Section 69432.7, or a professional preparation program approved by the Commission on Teaching Credentialing that has a main campus location or administrative entity that resides in California, including professional preparation programs operated by local educational agencies in California, if the student commits to working at a priority school or a California preschool program for four years within the eight years following the date the student completes the professional preparation program.

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

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

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

(3) (A) Funds appropriated for the Golden State Teacher Grant Program in the Budget Act of 2020 and the Budget Act of 2021 shall be available for encumbrance or expenditure by the commission until June 30, 2026.

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

(4) Grant funds shall be used to supplement and not supplant other sources of grant financial aid, and may be disbursed in more than one academic year, provided that the total amount of funds granted to an applicant does not exceed the applicable amount specified in this section.

(b) The one-time grant funds issued pursuant to this section shall not exceed the amount appropriated for the Golden State Teacher Grant Program in the Budget Act of 2020 and the Budget Act of 2021.

(c) Commencing July 1, 2024, the commission shall prioritize awards to eligible applicants with the lowest income at the time of application.

(d) (1) A grant recipient shall agree to serve at a priority school or a California preschool program for two or four years, as applicable, and shall have four or eight years, as applicable, upon completion of the recipient's professional preparation program, to meet that obligation. Except as provided in paragraph (4), a grant recipient shall agree to repay the state 50 or 25 percent, as applicable, of the total received grant funds annually, up to full repayment of the received grant funds, for each year the recipient fails to do one or more of the following:

(A) Be enrolled in or have successfully completed a professional preparation program approved by the Commission on Teacher Credentialing.

(B) While enrolled in the professional preparation program, maintain good academic standing.

(C) Before or upon completion of the professional preparation program, complete a baccalaureate degree program from a regionally accredited institution of higher education.

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

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

(2) Nonperformance of the commitment to serve at a priority school or a California preschool program for the applicable two or four years shall be certified by the commission.

(3) Nonperformance of the commitment to earn a preliminary teaching credential or pupil personnel services credential shall be certified by the Commission on Teacher Credentialing to the Student Aid Commission.

(4) Any exceptions to the requirement for repayment shall be defined by the commission, and may include, but shall not necessarily be limited to, counting a school year towards the required applicable service requirement at a priority school or a California preschool program if a grant recipient is unable to complete the school year when any of the following occur:

(A) The grant recipient has completed at least one-half of the school year or preschool program year, as applicable.

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

year, as applicable, for purposes of salary increases, probationary or permanent status, and retirement.

(C) The grant recipient was not able to serve due to the financial circumstances of the school district, including a decision to not reelect the employee for the next succeeding school year.

(D) The grant recipient has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601 et seq.) or similar state law.

(E) The grant recipient was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

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

(f) The commission shall develop a process by which students interested in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential may submit a request for a preenrollment conditional award notice from the commission. The notice shall provide information regarding the Golden State Teacher Grant Program award amount the student may be eligible to receive upon enrollment in the professional preparation program and formal application to the commission to participate in the Golden State Teacher Grant Program.

(g) (1) A “priority school” means a school with 55 percent or more of its pupils being unduplicated pupils, as defined in subdivision (b) of Section 42238.02.

(2) The commission, in coordination with the State Department of Education, shall publish a list of priority schools by April 15 of each year.

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

(h) (1) The commission may adopt regulations, including any amendments to regulations, necessary for the implementation of the Golden State Teacher Grant Program. The commission may adopt emergency regulations it deems necessary for the implementation of this program, in accordance with the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). For purposes of the Administrative Procedure Act, including Section 11349.6 of the Government Code, the adoption of those regulations or amendments to those regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare, notwithstanding subdivision (e) of Section 11346.1 of the Government Code.

(2) Notwithstanding any other law and without further compliance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), any

emergency regulations and amendments to the emergency regulations adopted pursuant to paragraph (1) shall remain in force and effect until June 30, 2025.

(3) No rule, policy, or standard of general application issued by the commission in implementing this section shall be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(i) The commission shall conduct, in partnership with the Commission on Teacher Credentialing, an evaluation of the Golden State Teacher Grant Program to determine the effectiveness of the program in recruiting credential candidates and employing credentialholders at priority schools and California preschool programs. The commission is encouraged to use qualitative and quantitative measures to quantify the number of credential candidates the program recruited into professional preparation programs, disaggregated by program and institution type, and the number of credentialholders employed at priority schools and California preschool programs, disaggregated by subject matter placement, and to describe the effects of the program on the decisions of credential candidates to enter and remain in the education field. The commission shall provide, with respect to the evaluation, a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 31, 2025, and every two years thereafter.

(j) (1) The commission shall accept applications for the Golden State Teacher Grant Program beginning on September 1 for the following academic year and shall establish a process and timeline that allows institutions of higher education to provide applicants with grant eligibility determinations before the deadline for enrolling in their professional preparation program.

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

(k) The commission shall permit grant recipients to receive funds in more than one academic year, provided the total amount of funds granted to any applicant does not exceed the applicable amount specified in this section.

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

SEC. 93. Section 76225 of the Education Code is amended to read:

76225. (a) Whenever a student transfers from one community college or public or private institution of postsecondary education to another within the state, appropriate records or a copy of appropriate records shall be transferred by the former community college, or college or university upon a request from the student. Any community college, college, or university making a transfer of these records shall notify the student of the student’s right to receive a copy of the record and the student’s right to a hearing to challenge the content of the record.

(b) The board of governors may adopt rules and regulations concerning the transfer of records pursuant to subdivision (a) to, from, or between colleges under its jurisdiction.

(c) Using available funding apportioned to their community college district pursuant to Section 84750.4, community colleges enrolling high school pupils through dual or concurrent enrollment pursuant to Sections 48800 and 76001, shall use eTranscript California, also referred to as “eTranscriptCA,” or its successor system, to enable the uniform integration of the pupil’s completed courses and grades received into the pupil’s universal and electronic high school transcript that is housed on the CaliforniaColleges.edu platform.

SEC. 94. Section 84323 is added to the Education Code, to read:

84323. Notwithstanding any other law, a community college district may recognize for budgetary and financial reporting purposes any amount of state allocations described in paragraph (2) of subdivision (b) of, or subparagraph (B) of paragraph (4) of subdivision (d) of, Section 41206.04 in the fiscal year in which it was received.

SEC. 95. Section 83 of Chapter 51 of the Statutes of 2019 is amended to read:

Sec. 83. (a) The sum of seven million five hundred thousand dollars (\$7,500,000) is hereby appropriated from the General Fund to the Controller for allocation to the State Department of Education for the Broadband Infrastructure Grant Program to improve broadband connectivity at California local educational agencies and improve digital learning opportunities for pupils. Notwithstanding Section 16304 of the Government Code, this funding shall be available for encumbrance until June 30, 2024.

(b) (1) The State Department of Education shall contract with the Corporation for Education Network Initiatives in California to identify external broadband connectivity solutions that provide fiber broadband connectivity to the most poorly connected schoolsites to allow digital learning opportunities for pupils.

(2) Broadband connectivity solutions identified by the Corporation for Education Network Initiatives in California shall be approved by the executive director of the State Board of Education and the Department of Finance.

(c) Upon approval of identified solutions pursuant to paragraph (2) of subdivision (b), the State Department of Education shall release the necessary funding to the Corporation for Education Network Initiatives in California to implement the approved broadband connectivity solutions.

(d) (1) Of the funds appropriated in subdivision (a), up to one hundred thousand dollars (\$100,000) shall be available annually for the State Department of Education to administer the Broadband Infrastructure Grant Program.

(2) Of the funds appropriated in subdivision (a), up to one million dollars (\$1,000,000) shall be available annually for administrative costs for the Corporation for Education Network Initiatives in California to identify and implement broadband infrastructure solutions pursuant to this section.

(e) The Corporation for Education Network Initiatives in California may collaborate with the K–12 High-Speed Network established pursuant to Section 11800 of the Education Code, as needed, to meet the requirements of this section.

(f) All broadband connectivity solutions identified by the Corporation for Education Network Initiatives in California pursuant to this section shall maximize federal E-rate subsidies and California Teleconnect Fund subsidies.

(g) (1) Any federal E-rate subsidies and California Teleconnect Fund subsidies received by the Corporation for Education Network Initiatives in California as a result of broadband connectivity solutions pursuant to this section shall be used for additional broadband connectivity solutions pursuant to subdivision (b).

(2) (A) Notwithstanding paragraph (1), commencing July 1, 2024, any federal E-rate subsidies and California Teleconnect Fund subsidies received by the Corporation for Education Network Initiatives in California as a result of broadband connectivity solutions pursuant to this section shall first be made available for annual administrative costs for the State Department of Education and the Corporation for Education Network Initiatives in California before being allocated for additional fiber broadband connectivity solutions for the most poorly connected schoolsites to allow digital learning opportunities for pupils.

(B) Of the funds described in subparagraph (A), up to one hundred fifty-two thousand dollars (\$152,000) shall be reserved annually and transferred to the State Department of Education to administer the Broadband Infrastructure Grant Program, consistent with Provision 113 of Item 6100-001-0001 of the annual Budget Act.

(C) Of the funds described in subparagraph (A), up to five hundred thousand dollars (\$500,000) shall be reserved annually for administrative costs for the Corporation for Education Network Initiatives in California to identify and implement broadband infrastructure solutions.

(3) Any broadband connectivity solutions identified by the Corporation for Education Network Initiatives in California for purposes of paragraph (2) shall be approved by the executive director of the State Board of Education and the Department of Finance.

SEC. 96. Section 138 of Chapter 44 of the Statutes of 2021, as amended by Section 49 of Chapter 571 of the Statutes of 2022, is amended to read:

Sec. 138. (a) For the 2021–22 fiscal year, the sum of one hundred fifty million dollars (\$150,000,000) is hereby appropriated from the General Fund to the State Department of Education for the purposes set forth in subdivisions (b) and (c).

(b) (1) Of the amount appropriated in subdivision (a), one hundred twenty million dollars (\$120,000,000) shall be available for allocation to local educational agencies to expend on kitchen infrastructure upgrades that will increase pupil access to, or improve the quality of, fresh and nutritious school meals.

(2) Each local educational agency may receive a base allocation of twenty-five thousand dollars (\$25,000).

(3) (A) After allocations are made pursuant to paragraph (2), the remaining funds shall be allocated to local educational agencies with pupil populations that are at least 50 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.

(4) Allowable uses of funds allocated pursuant to paragraphs (2) and (3) include all of the following:

(A) Cooking equipment and supporting infrastructure system needs, including, but not limited to, combination ovens, steamers, tilting skillets, or electrical support and facility upgrade requirements.

(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, walk-in refrigerators, freezers, blast chillers, or system upgrades.

(D) Transportation of ingredients, meals, and equipment between sites, including, but not limited to, vehicles and equipment to prevent spoilage of food in transit.

(5) (A) As a condition of receiving funding pursuant to paragraphs (2) and (3), each local educational agency shall report to the State Department of Education on or before June 30, 2024, to the extent feasible, but by no later than June 30, 2025, how it used the funding to improve the quality of school meals or increase participation in subsidized school meal programs.

(B) The State Department of Education shall develop forms that shall be used by local educational agencies to comply with subparagraph (A).

(c) (1) Of the amount appropriated in subdivision (a), thirty million dollars (\$30,000,000) shall be available for the State Department of Education to apportion funds to local educational agencies based on the number of lunches served in October 2020 by the local educational agency.

(2) (A) A local educational agency shall expend funds received pursuant to this section for food service staff to receive training on promoting nutritious foods, which may include training on food preparation, healthy food marketing, and changing the school lunchroom environment.

(B) To the extent any funds remain after the allowable uses specified in subparagraph (A), a local educational agency may use that remaining funding for any of the purposes described in paragraph (4) of subdivision (b).

(3) Notwithstanding paragraph (1), each local educational agency may receive a minimum allocation of two thousand dollars (\$2,000).

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

(1) "Classified school employee" 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) “Nutritious” means, at minimum, foods that align with the federal and state standards for meals served through the federal National School Lunch Program and the federal School Breakfast Program, and as further defined for purposes of Section 49531 of the Education Code.

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

SEC. 97. Section 121 of Chapter 52 of the Statutes of 2022, as amended by Section 96 of Chapter 48 of the Statutes of 2023, is amended to read:

Sec. 121. (a) (1) For the 2023–24 fiscal year, the sum of three hundred seventy-five million dollars (\$375,000,000) is hereby appropriated from the General Fund to the State Air Resources Board for the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to fund zero-emission schoolbuses to replace heavy-duty internal combustion schoolbuses owned by local educational agencies over five years beginning in the 2023–24 fiscal year, consistent with this section. This funding shall be available as grants to local educational agencies for encumbrance until June 30, 2029. Local educational agencies shall have three fiscal years after the fiscal year in which the funds are received to expend the funds. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

(2) For the 2023–24 fiscal year, the sum of one hundred twenty-five million dollars (\$125,000,000) is hereby appropriated from the General Fund to the Energy Commission to fund zero-emission schoolbus charging or fueling infrastructure and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades, in order to complement the vehicle investments described in paragraph (1). This funding shall be available as grants to local educational agencies for encumbrance until June 30, 2029. Local educational agencies shall have three fiscal years after the fiscal year in which the funds are received to expend the funds. Any funds that are not expended by a local educational agency by the end of that period shall be returned to the state.

(b) It is the intent of the Legislature to appropriate three hundred seventy-five million dollars (\$375,000,000) in the 2025–26 fiscal year to the State Air Resources Board, and one hundred twenty-five million dollars (\$125,000,000) in the 2025–26 fiscal year to the Energy Commission, for purposes of subdivision (a).

(c) The State Air Resources Board and the Energy Commission shall coordinate to offer a single application to cover vehicle purchases, infrastructure investments, and other associated funding pursuant to this section.

(d) The State Air Resources Board and the Energy Commission shall ensure that the funding provided in this section supports the transition to zero-emission schoolbus fleets by supporting up to the full purchase cost of zero-emission schoolbuses and related schoolbus charging or fueling infrastructure, as well as provide funding support for other associated costs, including workforce development and training.

(e) (1) The State Air Resources Board, in consultation with the Energy Commission, shall prioritize funding zero-emission schoolbuses under this section.

(2) If a local educational agency is able to provide sufficient information to the State Air Resources Board and the Energy Commission to demonstrate significant barriers to the adoption of zero-emission technology at the time of application, and that alternate approaches to decrease internal combustion vehicle use are not appropriate, the State Air Resources Board and the Energy Commission may fund schoolbuses powered by renewable fuel under this section, to the extent and in the time period that these barriers apply to the local educational agency.

(f) Priority shall be given pursuant to this section to grantees serving a high percentage of unduplicated pupils, as defined in Section 42238.02 of the Education Code, grantees operating the oldest internal combustion buses, grantees that are small and rural school districts, and grantees purchasing zero-emission buses with bidirectional charging where available.

(g) The State Air Resources Board and the Energy Commission shall create program guidelines relative to their respective activities pursuant to this section. Notwithstanding any other law, the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) shall not apply to the development and approval of the guidelines or other standards or requirements adopted or used by the State Air Resources Board or the Energy Commission in administering these funds.

(h) No less than 90 percent of a grantee's grant award shall be expended for the purchase of zero-emission schoolbuses, as well as the supporting charging infrastructure needed to operate the zero-emission schoolbuses and related activities, including, but not limited to, charging or fueling stations, equipment, site design, construction, and related infrastructure upgrades.

(i) Up to 10 percent of a grantee's grant award may be expended to incorporate or supplement funding for the grantee's school transportation program.

(j) (1) Any schoolbuses that are replaced pursuant to this section shall be scrapped no later than 24 months from date of delivery of the replacement vehicles. Grantees shall provide to the State Air Resources Board proof of scrap of the retired internal combustion schoolbus or schoolbuses.

(2) The grant agreement related to the grant award pursuant to this section shall require grantees to submit schoolbus and infrastructure information and documentation resulting from the grants provided in this section to the State Air Resources Board and the Energy Commission.

(k) The Department of General Services, in consultation with the Energy Commission and the California Workforce Development Board, shall establish statewide contracts with manufacturers of zero- or low-emission schoolbuses. These contracts shall satisfy the high road standards pursuant to subdivision (r) of Section 14005 of the Unemployment Insurance Code.

(l) As a condition of entering into a statewide contract with the state, a bidder shall incorporate high road job standards designed to achieve all of the following goals:

(1) Support the creation and retention of quality, nontemporary, and full-time jobs that provide high wages, including benefits and access to training.

(2) Support the hiring of displaced workers and individuals facing barriers to employment.

(3) Encourage the development of the state's long-term, climate-sustainable transportation and related infrastructure and manufacturing sectors.

(4) Protect public health by supporting the adoption of specific protections for worker health and safety.

(m) At a minimum, the contract shall include all of the following terms:

(1) All of the bidder's employees performing work to fulfill the contract shall be paid no less than the minimum trainee wage set by the Employment Training Panel for the county in which the work is performed, or the applicable federal, state, or local minimum wage, whichever is greater. To the extent permissible, health care benefits valued at up to two dollars and fifty cents (\$2.50) per hour may be used to meet this wage requirement.

(2) Any person performing work to fulfill the contract shall be placed in the proper employment classification. This requirement includes, but is not limited to, prohibitions on misclassifying a person performing work to fulfill the contract as an independent contractor.

(3) The bidder and any contractors and subcontractors performing work to fulfill the contract shall comply with all applicable federal, state, and local laws pertaining to paid sick leave, including any antiretaliation provisions contained in such laws.

(4) The bidder and any contractors and subcontractors performing work to fulfill the contract shall comply with all applicable safety and health requirements, and shall comply with Sections 6310 and 6311 of the Labor Code, pertaining to protection of employees who file complaints or refuse to work in the face of hazardous conditions.

(5) The bidder and any contractors and subcontractors comply and shall comply with the federal Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.) and all regulations thereunder.

(n) Grants received pursuant to this section shall supplement, not supplant, existing services and funds provided by grantees in support of transportation programs.

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

(1) “Bidder” means a manufacturer of zero-emission schoolbuses that seeks to enter into a statewide contract with the Department of General Services pursuant to this section.

(2) “Energy Commission” means the State Energy Resources Conservation and Development Commission.

(3) “Local educational agency” means any of the following:

(A) A school district, county office of education, or charter school, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code, with ownership of title for a schoolbus or schoolbuses.

(B) A school district or charter school, excluding a charter school classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code, that contracts with a county office of education or private contractor for the maintenance and operation of its schoolbuses.

(C) A county office of education that contracts with a private contractor for maintenance and operation of its schoolbuses.

(D) A joint powers authority currently operating home-to-school transportation programs on behalf of school districts, county offices of education, or charter schools, excluding charter schools classified as a nonclassroom-based charter school as of the 2021–22 fiscal year second principal apportionment certification pursuant to Section 47612.5 of the Education Code.

(4) “Rural school district” means a school district with a school with a locale code of 31, 32, 33, 41, 42, or 43, as classified by the National Center for Education Statistics.

(5) “Small school district” means a school district with fewer than 2,501 units of average daily attendance using the most recently reported annual data in the California Longitudinal Pupil Attendance Data System.

(p) If a participating charter school acquires a schoolbus pursuant to this section and the charter school subsequently ceases operation, the schoolbus shall be made available to the State Air Resources Board for reallocation to other eligible local educational agencies.

(q) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by paragraphs (1) and (2) of subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(r) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 98. Section 124 of Chapter 52 of the Statutes of 2022, as amended by Section 23 of Chapter 194 of the Statutes of 2023, is amended to read:

Sec. 124. (a) For the 2022–23 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the State Department of Education to allocate in a manner consistent with subdivision (b) to further support the Educator Workforce Investment Grant Program established pursuant to Section 84 of Chapter 51 of the Statutes of 2019, to coordinate and support professional learning opportunities for educators across the state. These funds shall be available through the 2025–26 fiscal year to provide one or more grants consistent with subdivision (b).

(b) (1) The State Department of Education and the California Collaborative for Educational Excellence shall, through a competitive grant process and subject to approval by the executive director of the State Board of Education, select one or more county offices of education or one or more consortia of county offices of education with expertise in developing and providing high-quality professional learning to teachers and paraprofessionals in public schools serving transitional kindergarten, kindergarten, and grades 1 to 12, inclusive, to conduct either of the activities described in paragraph (2) in a manner that aligns with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code. Applicants may submit an application in partnership with one or more institutions of higher education or one or more nonprofit organizations. The State Department of Education shall prioritize applications from a county office of education or consortium of county offices of education that were part of the consortia awarded a grant as part of the Educator Workforce Investment Grant Program established pursuant to Section 84 of Chapter 51 of the Statutes of 2019.

(2) The State Department of Education and the California Collaborative for Educational Excellence shall ensure that the entities selected pursuant to paragraph (1) are able to deliver professional learning for teachers and paraprofessionals statewide within each of the following areas:

(A) Universal design for learning to improve inclusive practices for all pupils, including pupils with disabilities, in general education settings.

(B) Implement effective language acquisition programs for English learners, which may include integrated language development within and across content areas, building and strengthening capacity to implement the English Learner Roadmap adopted by the State Board of Education in July 2017, and bilingual and biliterate proficiency.

(3) In developing the process for selecting grantees, the State Department of Education and the California Collaborative for Educational Excellence shall, to the greatest extent practicable, facilitate coordination among the grantees and the subject matter projects authorized pursuant to Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3 of the Education Code.

(c) The department and the California Collaborative for Education Excellence shall ensure that the selected grantee or grantees do all of the following:

(1) Develop, and deliver free of charge to local educational agencies statewide, professional development and professional learning opportunities that, at a minimum, are publicly available, content focused, standards and research based, incorporate active learning, support and promote collaboration, use models of effective practice, provide coaching and expert support, offer feedback and reflection, and are of sustained duration.

(2) Leverage and use expertise and resources already identified, developed, and available, including, but not limited to, expert leads established pursuant to Section 52073.1 of the Education Code and the special education resource leads established pursuant to Section 52073.2 of the Education Code, to advance the goals of this section.

(3) Provide professional learning opportunities in a manner that is consistent with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.

(4) Provide ongoing coaching and training for school staff that supports the professional learning opportunities provided pursuant to this section.

(5) Design and develop professional learning opportunities to include early educators.

(6) Work within the statewide system of support to provide professional development and professional learning opportunities.

(7) Provide ongoing training to develop mentors and coaches that support school staff in high-need settings.

(8) Review professional learning opportunities offered pursuant to this section to ensure they are high quality.

(9) In consultation with the department and the California Collaborative for Educational Excellence, evaluate the professional learning opportunities offered or funded pursuant to this section for their effectiveness. The grantee or grantees shall participate in development of the evaluation.

(10) Identify any existing gaps in capacity to deliver high-quality professional learning opportunities on a statewide basis and work with professional learning providers selected pursuant to this section and other partners to address those gaps.

(d) The grantee or grantees shall provide program information to, and as needed by, the State Department of Education, as a condition of receiving funds pursuant to this section.

(e) (1) By September 1, 2023, the State Department of Education and the California Collaborative for Educational Excellence shall provide an initial report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the process for awarding grants, the name of each grant recipient, the amount awarded to each grant recipient, the activities provided with grant funds, and, if available, the number of schools served and the number of educators served.

(2) By June 1, 2025, the State Department of Education and the California Collaborative for Educational Excellence shall provide an interim report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the activities provided with grant funds, the number of schools served, the number of educators served, the activities of the evaluators, and, if available, the findings of the evaluators related to the effectiveness of the professional learning opportunities offered or funded pursuant to this section, including, but not limited to, findings related to effectiveness in improving pupil outcomes.

(3) By June 1, 2027, the State Department of Education and the California Collaborative for Educational Excellence shall provide a final report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the activities provided with grant funds, the total number of schools served, the total number of educators served, the activities of the evaluators, and findings of the evaluators related to the effectiveness of the professional learning opportunities offered or funded pursuant to this section, including, but not limited to, findings related to effectiveness in improving pupil outcomes and recommendations for improvements to the grant program.

(4) The reports required pursuant to paragraphs (1) to (3), inclusive, shall be consistent with the requirements of Section 9795 of the Government Code.

(f) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, five million dollars (\$5,000,000) of the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, fifteen million dollars (\$15,000,000) of the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 99. Section 129 of Chapter 52 of the Statutes of 2022, as amended by Section 99 of Chapter 48 of the Statutes of 2023, is amended to read:

Sec. 129. (a) The following amounts are hereby appropriated from the General Fund to the State Allocation Board for new construction and modernization projects under the Leroy F. Greene School Facilities Act of 1998, pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code:

(1) For the 2022–23 fiscal year, one billion three hundred million dollars (\$1,300,000,000) from the General Fund in the 2021–22 fiscal year.

(2) For the 2023–24 fiscal year, one billion nine hundred sixty million five hundred thousand dollars (\$1,960,500,000) from the General Fund.

(b) The funds appropriated in subdivision (a) shall be available for encumbrance or expenditure by the State Allocation Board until December 31, 2025.

(c) It is the intent of the Legislature for the Office of Public School Construction to process grant applications for apportionment by the State Allocation Board at its current processing capabilities.

(d) The Department of General Services may charge administrative costs incurred to implement this section against the funds appropriated pursuant to subdivision (a), which shall be subject to the approval of the Department of Finance and shall not exceed fifteen million dollars (\$15,000,000). These funds may be used to reimburse administrative costs incurred to implement this section by the State Department of Education and the Controller. These funds shall be subject to the encumbrance or expenditure availability specified in subdivision (b).

SEC. 100. Section 134 of Chapter 52 of the Statutes of 2022, as amended by Section 102 of Chapter 48 of the Statutes of 2023, is amended to read:

Sec. 134. (a) For the 2022–23 fiscal year, the sum of three billion three hundred sixty million eight hundred eighty-five thousand dollars (\$3,360,885,000) is hereby appropriated from the General Fund to the State Department of Education to establish the Arts, Music, and Instructional Materials Discretionary Block Grant, for allocation to county offices of education, school districts, charter schools, and the state special schools to:

(1) Obtain standards-aligned professional development and instructional materials, in the following subject areas:

(A) Visual and performing arts.

(B) World languages.

(C) Mathematics.

(D) Science, including environmental literacy.

(E) English language arts, including early literacy.

(F) Ethnic studies.

(G) Financial literacy, including the content specified in Section 51284.5 of the Education Code.

(H) Media literacy.

(I) Computer science.

(J) History-social science.

(2) Obtain instructional materials and professional development aligned to best practices for improving school climate, including training on deescalation and restorative justice strategies, asset-based pedagogies, antibias, transformative social-emotional learning, media literacy, digital literacy, physical education, and learning through play.

(3) Develop diverse book collections and obtain culturally relevant texts, including leveled texts, in both English and pupils' home languages, to support pupils' independent reading. It is the intent of the Legislature that

these book collections and culturally relevant texts be used to provide support for pupils through the establishment of site-based school and classroom libraries that are culturally relevant to pupils' home and community experiences and be available in English, pupils' home language, or a combination of more than one language.

(4) Operational costs, including but not limited to, retirement and health care cost increases.

(5) As related to the COVID-19 pandemic, acquire personal protective equipment, masks, cleaning supplies, COVID-19 tests, ventilation upgrades, and other similar expenditures, if they are necessary to keep pupils and staff safe from COVID-19 and schools open for in-person instruction.

(b) The Superintendent of Public Instruction shall apportion funds proportionally to county offices of education, school districts, charter schools, and the state special schools on the basis of an equal amount per unit of average daily attendance for kindergarten and grades 1 to 12, inclusive, as those numbers were reported as of the second principal apportionment for the 2021–22 fiscal year. The average daily attendance for each state special school shall be deemed to be 97 percent of the enrollment as reported in the California Longitudinal Pupil Achievement Data System as of the 2021–22 Fall 1 Submission.

(c) (1) Funding appropriated pursuant to this section shall be available for expenditure through June 30, 2026. Local educational agencies are encouraged, but not required, to proportionally use resources received pursuant to this section for the purposes noted in paragraphs (1) to (5), inclusive, of subdivision (a) and to support arts and music education programs. By September 30, 2026, each local educational agency receiving an allocation pursuant to this section shall report final expenditures to the State Department of Education, which shall initiate collection of any unexpended funds. Any local educational agency that does not submit the final expenditure report shall forfeit all funds allocated pursuant to this section.

(2) Notwithstanding paragraph (1), if a charter school ceases to operate before June 30, 2026, its final expenditure report shall be due to the department within 60 days of the effective date of closure and the department shall collect any unexpended funds.

(d) For purposes of this section, standards-aligned instructional materials includes, but is not limited to, books for school and classroom libraries.

(e) The governing board or body of each school district, county office of education, or charter school receiving funds pursuant to this section shall discuss and approve a plan for the expenditure of funds received pursuant to this section at a regularly scheduled public meeting. It is the intent of the Legislature that each school district, county office of education, or charter school expend any resources received pursuant to this section consistent with their governing board- or body-approved plan.

(f) The requirements of this section shall not be waived by the State Board of Education pursuant to Section 33050 of the Education Code or any other law.

(g) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), one hundred forty-nine million forty thousand dollars (\$149,040,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2022–23 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2022–23 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), two billion eight hundred eighty-one million two hundred nineteen thousand dollars (\$2,881,219,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2021–22 fiscal year.

(3) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, of the amount appropriated from the General Fund in subdivision (a), three hundred thirty million six hundred twenty-six thousand dollars (\$330,626,000) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 101. As a result of the decline in Education Protection Account revenue for the 2023–24 fiscal year and the resulting nontransfer of funds into the Education Protection Account for the 2023–24 fiscal year fourth-quarter payment, the Superintendent of Public Instruction shall recover a local educational agency’s overpayment of Education Protection Account funds from the second principal apportionment payment made pursuant to Section 14041 of the Education Code for deposit into the Education Protection Account. The fourth-quarter Education Protection Account payment for the 2023–24 fiscal year shall be made by the Controller as soon as practical, but not later than August 15, 2024.

SEC. 102. (a) On or before November 1, 2025, the State Department of Education shall develop a pupil benefit form in an alternative electronic format that meets the requirements and purposes of Section 42238.02 of the Education Code, and also meets the federal requirements to determine eligibility for the National School Lunch Program, the School Breakfast Program, and the federal Summer Electronic Benefit Transfer Program.

(b) The pupil benefit form may also be used to determine eligibility for other pupil benefit programs that use the National School Lunch Program’s free and reduced-price criteria, including, but not limited to, the Expanded Learning Opportunities Program pursuant to Section 46120 of the Education Code.

SEC. 103. The methodology used for purposes of subdivision (c) of Section 8 of Article XVI of the California Constitution to compute the allocations to school districts and community colleges in the 2023–24 fiscal year shall not be construed to reflect the methodology to be used for purposes of subdivision (c) of Section 8 of Article XVI of the California Constitution to compute the allocations to school districts and community colleges in any other fiscal year.

SEC. 104. (a) On or before February 1, 2025, the County Office Fiscal Crisis and Management Assistance Team, in consultation with appropriate subject matter experts, including, but not limited to, subject matter experts in risk management, public finance, labor, and bond financing, shall provide recommendations to the appropriate fiscal and policy committees of the Legislature and the Department of Finance on new, existing, or strengthened funding and financing mechanisms to finance judgments or settlements arising from claims of childhood sexual abuse, to be utilized by local agencies.

(b) The recommendations provided pursuant to subdivision (a) shall be made in accordance with all of the following:

(1) They shall not impact current judgments or settlements from these claims, or unnecessarily delay the timeline in which plaintiffs receive funds from those judgments or settlements.

(2) Where applicable, recommendations that may need statutory or regulatory changes shall include the statutes or regulations. These recommendations shall solely be focused on financing, securitization, or funding of claims.

(3) Where applicable, recommendations shall consider existing financing mechanisms, including, but not limited to, judgment obligation bonds, emergency apportionment financing pursuant to Article 2.7 (commencing with Section 41329.50) of Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code, and financing programs administered by the California School Finance Authority.

(4) They shall be provided pursuant to Section 9795 of the Government Code.

(c) For purposes of this section, “local agencies” may include counties, cities, county offices of education, school districts, charter schools, joint powers authorities, local public agencies, and local public agency risk pools.

(d) This section does not, in any way, do any of the following:

(1) Limit the rights of child sexual abuse survivors to file actions.

(2) Limit applicable damages.

(3) Grant immunity to local agencies.

SEC. 105. (a) To support schools and school districts to enable them to provide a safe environment for K–12 science learning, the Superintendent

of Public Instruction, within existing resources, shall update the State Department of Education's Science Safety Handbook.

(b) The State Department of Education shall ensure the updated handbook complies with Section 7405 of the Government Code and Section 508 of the federal Rehabilitation Act of 1973, including, but not limited to, the requirements for information and communications technology to be accessible to people with disabilities, and aligns with both of the following:

(1) The most recently adopted California Next Generation Science standards, science curriculum framework, and science assessments.

(2) The state's current Education Code, Health and Safety Code, and national regulations, including the federal Occupational Safety and Health Administration's requirements.

(c) By August 1, 2026, the State Department of Education shall make the Science Safety Handbook updated pursuant to this section publicly available on its internet website.

SEC. 106. On or before January 1, 2025, and annually thereafter to January 1, 2030, inclusive, the Marin County Office of Education shall provide a report, consistent with Section 9795 of the Government Code, to the Joint Legislative Budget Committee and the Department of Finance that includes, but is not limited to, all of the following relating to Holocaust and genocide education:

(a) Annual expenditures by the California Teachers Collaborative for Holocaust and Genocide Education consistent with the county office of education's contract.

(b) All of the following for funding allocated in the Budget Act of 2021, the Budget Act of 2022, and the Budget Act of 2024:

(1) The number of unique educators and local educational agencies served each year funding was provided.

(2) (A) A list of local educational agencies served each year funding is provided.

(B) For purposes of subparagraph (A), "local educational agency" means a school district, county office of education, or charter school.

(c) Examples of all materials and presentations produced.

SEC. 107. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 108. For purposes of Section 116 of this act, the Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the need for the William S. Hart Union High School District to reconstruct and rehabilitate William S. Hart Union High School infrastructure.

SEC. 109. 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. 110. (a) (1) Notwithstanding any other law, the funds appropriated pursuant to Items 6100-158-0001 and 6100-161-0001 of Section 2.00 of the Budget Act of 2023 (Chs. 12, 38, and 189, Stats. 2023) shall be available for encumbrance until July 31, 2024. This one-month extension of encumbrance authority is provided due to the effect of the deferral of the June 2024 principal apportionment on the budget items specified in this section.

(2) It is the intent of the Legislature that, by extending the encumbrance authority for the funds identified in this section to July 31, 2024, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2023.

(b) (1) Notwithstanding any other law, the funds appropriated pursuant to Items 6100-158-0001 and 6100-161-0001 of Section 2.00 of the Budget Act of 2024 shall be available for encumbrance until July 31, 2025. This one-month extension of encumbrance authority is provided due to the effect of the deferral of the June 2025 principal apportionment on the budget items specified in this section.

(2) It is the intent of the Legislature that, by extending the encumbrance authority for the funds identified in this section to July 31, 2025, the funds will be treated in a manner consistent with Section 1.80 of the Budget Act of 2024.

SEC. 111. Commencing with the 2024–25 fiscal year, the Superintendent of Public Instruction shall, for the Sacramento County Office of Education, add two million one hundred thousand dollars (\$2,100,000) to the amount to be apportioned pursuant to Sections 2574 and 2575 of the Education Code, in order to contract with the Department of Parks and Recreation for purposes of providing pupils enrolled in grade 4 in California public schools access to California state parks pursuant to Section 5010.2.5 of the Public Resources Code. Up to 5 percent of these funds may be used to support the Sacramento County Office of Education’s indirect costs for these purposes.

SEC. 112. (a) (1) The sum of four million dollars (\$4,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction to select a county office of education, subject to the approval of the executive director of the State Board of Education, to research high-quality, data-supported models of hybrid and remote learning at public schools across the state and provide guidance, support, and resources to local educational agencies to build their own hybrid and remote learning programs to support innovative learning opportunities and instructional continuity. Funds allocated pursuant to this section shall be available for encumbrance through June 30, 2027.

(2) The types of models of hybrid and remote learning to be researched shall include programs developed to address a variety of needs, including all of the following:

(A) Those used to provide seamless access to instruction during emergency events that disrupt in-person instruction.

(B) Those developed for pupils with unique personal circumstances that make hybrid or remote learning a more viable instructional model.

(C) Those developed to provide access to instructional options unavailable in local schools, especially for pupils in remote and rural communities.

(3) The county office of education selected pursuant to this subdivision shall highlight local educational agencies that have developed exemplary emergency instruction programs with demonstrated success in seamlessly transitioning pupils and teachers to hybrid and remote learning during emergencies and minimizing impacts to learning during school closures or environmental conditions that keep pupils from attending school.

(4) The county office of education selected pursuant to this subdivision shall also highlight local educational agencies with exemplary hybrid and remote learning programs that use innovative technologies to provide pupils with approaches that are learner-centered, inquiry-based, personalized to learner interests, performance-driven, and offered at a differentiated pace with multiple means to demonstrate knowledge, and that use formative feedback to inform instruction.

(5) The research, guidance, support, and resources developed pursuant to this subdivision shall include those focused on improving outcomes for pupil groups with high rates of chronic absenteeism, including pupils regularly impacted by emergencies, socioeconomically disadvantaged pupils, youth in foster care, homeless pupils, and pupils with disabilities.

(6) The research, guidance, support, and resources developed pursuant to this subdivision shall be made available to the public and disseminated in the following ways:

(A) Through an internet website developed for this purpose and linked to the State Department of Education internet website.

(B) Through widely available and free trainings and convenings for local educational agencies and educators.

(7) On or before June 30, 2027, the county office of education selected pursuant to this subdivision shall submit a report summarizing its findings and the guidance, support, and resources it developed pursuant to this section to the chairs of the budget committees of both houses of the Legislature, the Superintendent of Public Instruction, the executive director of the State Board of Education, and the Director of Finance.

(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 2024–25 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2024–25 fiscal year.

SEC. 113. (a) For the 2024–25 fiscal year, the sum of seven million dollars (\$7,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to the Los Angeles County

Office of Education, with the approval of the executive director of the State Board of Education, with one or more nonprofit organizations with expertise in the following:

(1) Identifying, evaluating, and developing high-quality curriculum-embedded performance tasks to support inquiry-based instruction and assessment in science.

(2) Improving teacher instructional practices and pupil learning in science through curriculum-embedded performance assessment.

(3) Providing professional development for teachers in utilizing high-quality curriculum-embedded performance tasks.

(b) By no later than January 1, 2026, the entity contracted by the county office of education pursuant to subdivision (a) shall complete each of the following tasks:

(1) Research existing high-quality curriculum-embedded performance tasks aligned to the Next Generation Science standards and identify tasks that can be used for the California repository developed pursuant to paragraph (3).

(2) Identify any areas where additional high-quality curriculum-embedded performance tasks must be developed and establish and facilitate a process, working with California teachers, to develop and pilot high-quality curriculum-embedded performance tasks.

(3) (A) Develop a statewide repository of high-quality curriculum-embedded performance tasks across all grade levels, mapped to the Next Generation Science standards for use by local educational agencies and educators to support inquiry-based instruction and assessment.

(B) The statewide repository of high-quality curriculum-embedded performance tasks shall be freely available and organized in a way to allow teachers and local educational agencies to easily search and access the tasks by grade, standard, and domain.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2024–25 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2024–25 fiscal year.

SEC. 114. (a) For the 2024–25 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation, subject to the approval of the executive director of the State Board of Education, to one or more county offices of education, or consortia of county offices of education, to partner with the California Mathematics Project to develop and deliver educator training, including the training of mathematics coaches, and provide resources to educators on delivering high-quality mathematics instruction to pupils throughout the state pursuant to the Mathematics Framework for

California Public Schools: Kindergarten Through Grade Twelve, as adopted by the State Board of Education on July 12, 2023. The selected county offices of education, or consortia of county offices of education, may also partner with other well-qualified governmental or nonprofit providers of high-quality mathematics training to educators, in addition to the California Mathematics Project. These funds shall be available for encumbrance through June 30, 2028.

(b) Resources and training developed pursuant to this section shall be coordinated with the entities awarded funding pursuant to both Section 53 of Chapter 571 of the Statutes of 2022 and Section 43 of Chapter 252 of the Statutes of 2021 in order to reduce duplication of effort and provide coordinated, streamlined access to mathematics professional development and resources for the state's educators that are aligned with Mathematics Framework for California Public Schools: Kindergarten through Grade Twelve, as adopted by the State Board of Education on July 12, 2023.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2024–25 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2024–25 fiscal year.

SEC. 115. (a) On or before June 30, 2025, an amount to be determined by the Director of Finance shall be appropriated from the General Fund to the Superintendent of Public Instruction in augmentation of Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2024.

(b) The funds appropriated in subdivision (a) shall only be available to the extent that revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code are less than the estimated amount reflected in the Budget Act of 2024, as determined by the Director of Finance.

(c) On or before June 30, 2025, the Director of Finance shall determine if the revenues distributed to local educational agencies for special education programs pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code exceed the estimated amount reflected in the Budget Act of 2024 and shall reduce Schedule (1) of Item 6100-161-0001 of Section 2.00 of the Budget Act of 2024 by the amount of that excess.

(d) In making the determinations pursuant to subdivisions (b) and (c), the Director of Finance shall consider any other local property tax revenues collected in excess or in deficit of the estimated amounts reflected in the Budget Act of 2024.

(e) The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, of the Director of Finance's intent to notify the Controller of the necessity to release funds

appropriated in subdivision (a) or to make the reduction pursuant to subdivision (c), and the amount needed to address the property tax shortfall determined pursuant to subdivision (b) or the amount of the reduction made pursuant to subdivision (c). The Controller shall make the funds available pursuant to subdivision (a) not sooner than five days after this notification and the State Department of Education shall work with the Controller to allocate these funds to local educational agencies as soon as practicable.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2024–25 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2024–25 fiscal year.

SEC. 116. For the 2024–25 fiscal year, the sum of one million two hundred sixty thousand dollars (\$1,260,000) is hereby appropriated from the General Fund to the State Allocation Board to be available for allocation to the William S. Hart Union High School District. The William S. Hart Union High School District shall use these moneys to support the reconstruction and rehabilitation of William S. Hart Union High School infrastructure.

SEC. 117. (a) For the 2024–25 fiscal year, the sum of twenty-five million dollars (\$25,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for allocation to local educational agencies that administer literacy screenings to pupils in kindergarten and grades 1 and 2 for risk of reading difficulties pursuant to Section 53008 of the Education Code, in the manner specified in this section.

(b) The Superintendent of Public Instruction shall make the following computations to determine the amount of funding for each local educational agency:

(1) (A) For each local educational agency, determine the total number of pupils in kindergarten and grades 1 and 2, but excluding pupils in transitional kindergarten, attending school in that local educational agency using prior year school enrollment data as of the California Longitudinal Pupil Achievement Data System Fall 1 Certification.

(B) Calculate a statewide total number of pupils by adding all pupils identified pursuant to subparagraph (A).

(2) Calculate a per-pupil rate by dividing the amount appropriated pursuant to subdivision (a) by the statewide total number of pupils identified in subparagraph (B) of paragraph (1).

(3) Calculate the apportionment for each local educational agency by multiplying the per-pupil rate calculated in paragraph (2) by the number determined in paragraph (1) for the local educational agency.

(c) The governing board or body of a local educational agency shall expend the funds received pursuant to this section for training for educators

to administer pupil screenings in kindergarten and grades 1 and 2, but excluding transitional kindergarten, in order to assess for risk of reading difficulties using approved screening instruments, as identified by the State Board of Education pursuant to Section 53008 of the Education Code.

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2024–25 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2024–25 fiscal year.

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

SEC. 118. 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.