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## **Assembly Committee on Education**

### **2004 K-12 Education Legislation Bills Sent to the Governor September 30, 2004**

This report summarizes K-12 education bills heard by the Assembly Committee on Education in the second year of the two-year 2002-04 session. Actions on bills enrolled to the Governor are denoted by the chapter number or notice of veto after the bill summary. Bills held in the legislature show the committee or house of last location for each of the education bills considered.

#### **Adult Education**

##### **SB 1309 (Karnette) – Adult education growth caps.**

Modifies, commencing in 2005-06, growth caps on adult education programs operated by K-12 districts so that unused units of attendance may be reallocated to districts that are fully utilizing their allowances.

*Status: Vetoed*

##### **SB 1442 (Ducheny) – Joint Commission on Adult Education.**

Establishes the Joint Commission on Adult Education to make recommendations regarding the coordination of adult education and noncredit community college programs throughout the state.

*Status: Vetoed*

#### **After School Programs**

##### **AB 1949 (Hancock) – After School Education and Safety Program: Staff Development.**

Authorizes the administrator of a program in the After School Education and Safety Program (ASESP) to conduct up to four staff development days per year.

*Status: Assembly Appropriations Committee*

##### **SB 70 (Torlakson) – After School Programs: Physical Fitness.**

Specifies that training and support provided by the State Department of Education include the development and distribution of voluntary guidelines for physical activity programs that expand the learning opportunities of the schoolday established as a component of the After School Education and Safety Program.

*Status: Assembly Appropriations Committee*



## Career and Technical Education

### **AB 2183 (Liu) - Partnership academies.**

Allows a regional occupational center or program to establish a partnership academy.

*Status: Assembly Appropriations Committee*

### **AB 2648 (Jerome Horton) - Law enforcement apprenticeship program.**

Establishes the law enforcement apprenticeship program and requires the State Department of Education (SDE) to award grants to nonprofit education foundations to provide at-risk minority youth with the skills necessary to successfully pursue occupations in law enforcement and criminal justice. The bill specifies that SDE shall only award grants on the receipt of funding from a private source.

*Status: Assembly Appropriations Committee*

### **SB 1591 (Machado) – Regional occupational programs & centers.**

Allows pupils who will become 16 years old during the school year to enroll in regional occupational programs or centers.

*Status: Vetoed*

### **SCR 55 (Alpert) – Pupil options.**

Proclaims May as Educational Options Month and provides that the California Legislature encourage all Californians to work together to ensure the future success of every young student participating in educational options programs in our state.

Educational options include continuation high schools, magnet programs, charter schools, independent study, adult education, opportunity programs, community day schools, pregnant minor programs, county community schools, juvenile court schools, youth authority, and alternative schools, representing over 750,000 students.

*Status: Res. Chapter 33*

### **SJR 31 (McPherson) – Career technical education; federal funding.**

Expresses the Legislature's endorsement of the Carl D. Perkins Vocational and Technical Education Act of 1998 (Perkins Act) and urges the United States Congress to continue and fully fund the Perkins Act.

*Status: Res. Chapter 187*

## Charter Schools

### **AB 1464 (Bates) – Charter Schools: Alternative Authorizers.**

Authorizes the governing body of a private university or college that offers a specified teacher training program, the chancellor of a campus of the University of California, the president of a campus of the California State University, or the governing board of a

community college district to approve a petition submitted to establish a charter school within the county in which that entity is located or maintains a campus.

*Status: Assembly Education Committee*

**AB 1860 (Reyes) – Charter schools.**

Adds a compliance audit requirement to charter annual audits. Prohibits charter schools from expelling a pupil solely on academic performance. Requires charter schools to notify the appropriate school district governing board and county office of education when a pupil is expelled, leaves school without graduating or leaves without completing the school year. In such cases, requires charter schools to provide the school district with a copy of the pupil's file. Requires charter schools to comply with the Public Records Act relating to public meetings.

*Status: Vetoed*

**AB 2764 (Bates) – Charter Schools: Alternative Authorizers.**

Authorizes the University of California (UC), the California State University (CSU) and the California Community Colleges (CCC) to establish a pilot project, until January 1, 2011, to authorize and oversee charter schools. The bill allows up to one charter school per campus, not to exceed 20 charter schools per segment.

*Status: Assembly Appropriations Committee*

**AB 2781 (Benoit) – Charter Schools: Removal of Cap.**

Deletes the restriction on the number of charter schools that are authorized to operate in California each year and makes technical non-substantive changes.

*Status: Assembly Education Committee*

**SB 1423 (Brulte) – Riverside Unified School District: Charter high school.**

Exempts a charter school chartered by the Riverside Unified School District and operated in cooperation with the Riverside Community College District from teacher credentialing requirements and restrictions on students enrolled over the age of 19.

*Status: Vetoed*

**SB 1531 (Knight) – Charter Schools: Removal of Cap.**

Deletes the restriction on the number of charter schools that are authorized to operate in California each year and makes technical non-substantive changes.

*Status: Assembly Education Committee*

**SB 1617 (Ducheny) – Charter schools: Average Daily Attendance.**

Authorizes, effective January 1, 2005, a pupil who is a California resident between the ages of 19 and 21 years to generate average daily attendance for a charter school, upon continuous enrollment in a public school if the pupil is making satisfactory progress towards a high school diploma.

*Status: Assembly Appropriations Committee*

**SB 1766 (McPherson) – Charter school boundaries.**

Exempts Delta Charter High School, located in the County of Santa Cruz, from the geographic and site limitations as specified in existing law.

*Status: Chapter 112*

**Class Size Reduction**

**AB 1670 (Kehoe) – Class size reduction.**

Authorizes any school district located in Los Angeles, Riverside, San Bernardino, San Diego, or Ventura counties to receive class size reduction funding for 2003-04, based on enrollment counts taken before the October 2003 fires if the district lost enrollment.

*Status: Vetoed*

**AB 2405 (Nakano) - Class size reduction: Torrance Unified School District (TUSD).**

Authorizes, on a pilot project basis, TUSD to implement an alternative class size reduction program to reduce class size in kindergarten and grades 1 to 5, inclusive, to 23 pupils, with the exception that grades 4 and 5 in a participating school would be eligible if the total average enrollment in grade 4 and 5 in a participating school is not higher than 23.4, subject to collective bargaining agreements.

*Status: Assembly Education Committee*

**SB 311 (Sher) – Class size reduction.**

Establishes a deduction schedule that the State Controller will be required to follow if a school district fails to maintain the maximum pupil-to-teacher ratio relative to the K-3 Class Size Reduction program, and includes language from AB 1670 (Kehoe) to avoid chaptering out issues.

*Status: Chapter 910*

**Early Childhood Education**

**AB 56 (Steinberg) - Universal preschool.**

Creates a statewide system of school readiness centers for young children, 3 and 4 years of age, lowers the minimum age of compulsory education from age 6 to 5, and extends the minimum day for kindergartners by 50 minutes.

*Status: Conference Committee*

**AB 712 (Steinberg) – Universal preschool.**

Establishes a study of the costs of providing state-supported preschool for 3- and 4-year-old children, and creates a committee to develop the criteria and curriculum to prepare well-qualified preschool teachers.

*Status: Vetoed*

**AB 2909 (Salinas) – Early intervention services.**

Requires the State Department of Education to conduct a study of the current methods of providing special instruction and other services to infants and toddlers who are deaf or hard of hearing, and to report to the Legislature by January 1, 2006.

*Status: Chapter 456*

**SB 1343 (Escutia) – Child Care Master Plan.**

Requires the State Department of Education to establish a task force to develop Infant and Toddler Care Master Plan Recommendations.

*Status: Vetoed*

**SB 1700 (Hollingsworth) - Child care.**

Makes changes to the laws governing the California School Age Families Education (Cal-SAFE) program and child care local planning councils.

*Status: Assembly Inactive*

**SB 1897 (Burton) – Child care.**

This bill contains a number of child care reform measures: (1) requires the collection of data by the State Department of Education to assess subsidized and unsubsidized child care supply and demand; (2) creates a task force to develop and submit to the Legislature a Child Care and Development Workforce Development Plan; (3) requires a biennial assessment of the reimbursement rate system for subsidized child care; and, (4) establishes the Option for Expanded Business Opportunities to allow family child care providers to collectively negotiate and purchase group benefits.

*Status: Vetoed*

## **Financing Schools**

**AB 825 (Firebaugh) – Education categorical funding programs consolidation\*.**

Consolidates more than twenty K-12 education categorical funding programs and some supplemental instruction hourly reimbursement programs into six categorical block grants, effective beginning in the 2005-06 fiscal year. Block grants created by this bill through the consolidation of existing categorical programs include:

- 1) Pupil Retention Block Grant;
- 2) School Safety Consolidated Competitive Grant;
- 3) Teacher Credentialing Block Grant;
- 4) Professional Development Block Grant;
- 5) Targeted Instructional Improvement Block Grant; and
- 6) School and Library Improvement Block Grant.

\* This bill incorporates provisions previously carried in SB 1510 (Alpert).

*Status: Chapter 871*

**AB 1554 (Keene) – School district emergency loan financing.**

Deletes provisions of existing law relating to emergency loans to school districts, and, instead, authorizes the state to make interim emergency loans and then transfer those loans to lease financing made available by the California Infrastructure and Economic Development Bank (I-Bank), which is authorized to issue revenue bonds for that purpose.

Requires that existing emergency loans for the West Contra Costa Unified School District, Oakland Unified School District and Vallejo Unified School District be refinanced through I-Bank, with any difference between interest paid on the existing loans and the costs of refinancing those loans paid by the state.

*Status: Chapter 263*

**AB 1795 (Bermudez) – Home-to-school transportation funding for East Whittier City School District.**

Beginning in the 2005-06 fiscal year and every year thereafter requires home-to-school transportation funding for the East Whittier City School District to be calculated as if it will receive \$174,790 in the 2004-05 school year. This allocation is contingent upon funding appropriated in the annual budget act.

*Status: Assembly Appropriations Committee*

**AB 1841 (Chan) – Allocation of categorical funding among reorganized high schools.**

Requires each reorganized high school to receive a share, based on the respective percentage of pupils enrolled in each reorganized school, of funds from the Immediate Intervention / Underperforming Schools Program or the High Priority School Grant Program for Low Performing Schools that the former high school would have received for participating in those programs.

*Status: Vetoed*

**AB 1944 (Hancock) – Attendance credit for student poll workers.**

Allows a pupil enrolled in a history or social science course who serves as a member of a precinct board for an election to receive school attendance credit for that service for purposes of computing average daily attendance.

*Status: Vetoed*

**AB 2080 (Firebaugh) – Academic Improvement and Achievement Act.**

Appropriates \$5 million from the General Fund to the State Department of Education to fund the Academic Improvement and Achievement Act.

*Status: Vetoed*

**AB 2152 (Goldberg) – Categorical flexibility for decile 1-3 schools.**

Grants school districts flexibility in the use of funds for specified categorical programs and requires a school district receiving those funds to assure that a percentage of funds are spent for direct services to students enrolled in schools ranked in deciles 1-3 on the Academic Performance Index.

*Status: Vetoed*

**AB 2153 (Daucher) – Revenue limit adjustments.**

Requires, as of the 2005-06 fiscal year, existing school district revenue limit adjustments for Meals for Needy Pupils, continuation high schools, necessary small schools, instructional time incentives, and specified interdistrict attendance adjustments to be added to the base revenue limit per unit of average daily attendance for each district.

*Status: Assembly Appropriations Committee*

**AB 2178 (Simitian & Daucher) – Revenue limit equalization.**

Establishes the Fairness in Education Funding Act and repeals one of two methods in existing law for distributing K-12 school district revenue limit equalization funding. Appropriates \$110 million for the 2004-05 fiscal year for allocation to K-12 school districts according to the remaining revenue limit equalization methodology, and appropriates \$80 million for community college funding equalization.

*Status: Assembly Appropriations Committee*

**AB 2373 (Goldberg) – Quality Education Commission review of weighted per pupil funding methods.**

Requires the California Quality Education Commission to examine the advantages and disadvantages of allowing a school district to allocate funds to each school in its district based on a weighted per pupil formula, and make recommendations regarding its findings.

*Status: Vetoed*

**AB 2382 (Mullin & Chan) – Declining enrollment adjustment.**

Permits, commencing with the 2005-06 fiscal year, school district apportionment average daily attendance (ADA) to be calculated based on the average of the ADA for the three prior fiscal years if (1) there was a decline in ADA and (2) the average attendance for the three prior fiscal years exceeds 101% of the current year ADA.

*Status: Assembly Appropriations Committee*

**AB 2462 (Parra) – Home-to-school transportation.**

Requires, beginning with the 2006-07 fiscal year, that state funding for home-to-school transportation be increased annually by the percentage cost-of-living adjustment provided to school district revenue limits and the percentage change in K-12 enrollment.

*Status: Vetoed*

**AB 2647 (Chavez) – High School Remediation Funding Flexibility Program.**

Establishes the High School Remediation Funding Flexibility Program to authorize a school district that participated in the ninth grade class size reduction program to use the funding for that program, instead, to provide remediation instruction in core subject areas for pupils in grades 9 through 12.

*Status: Vetoed*

**AB 2675 (Goldberg) – Categorical programs block grant\*.**

Establishes, beginning in the 2005-06 fiscal year, the Student Achievement Grant Program, which authorizes the Superintendent of Public Instruction to provide school districts the option of receiving funding for specified programs through a block grant.

\* See related legislation AB 2152.

*Status: Assembly Appropriations Committee*

**AB 2756 (Daucher) – School district financial reporting, monitoring and emergency apportionment administration.**

Makes substantive changes to the oversight process of a school district's financial condition, and changes processes and actions that follow a school district's receipt of an emergency loan.

*Status: Chapter 52*

**AB 2776 (Bates) – Quality Education Commission enrollment-based apportionments assessment.**

Requires the California Quality Education Commission to examine the advantages and disadvantages of apportioning school district funding on the basis of enrollment, rather than average daily attendance.

*Status: Vetoed*

**AB 3017 (Firebaugh) – Advancement Via Individual Determination (AVID) Program.**

Appropriates \$1,256,000 from the General Fund to the State Department of Education for the support of the AVID program.

*Status: Vetoed*

**SB 471 (Vasconcellos) – No Child Left Behind.**

Requires the Superintendent of Public Instruction to determine which provisions of the No Child Left Behind Act are fully funded, which are partially funded, and which are not funded by the federal government, and to report these findings to the Governor and the Legislature during the hearings of the Annual Budget Act.

*Status: Vetoed*

**SB 1190 (Chesbro) – Emergency loan: Vallejo City Unified School District.**

Appropriates \$60 million for an emergency loan to the Vallejo City Unified School District, requiring the Superintendent of Public Instruction to assume all the rights, duties, and powers of the governing board of the Vallejo City Unified School District and, in consultation with the Solano County Superintendent of Schools, to appoint an administrator to serve during the term of the loan.

*Status: Chapter 53*

**SB 1416 (Vasconcellos) – Weighted per pupil funding.**

States legislative intent to study ways a school district may receive school funding on the basis of a weighted per pupil formula.

*Status: Assembly desk*

**SB 1454 (Hollingsworth) – Financial reserve requirements.**

Authorizes, beginning in the 2005-06 fiscal year through the 2009-2010 fiscal year, a school district to meet the minimum reserve for economic uncertainties standard using restricted account funds, and authorizes the school district to use those funds for any purpose for which budget reserves may be expended.

*Status: Assembly Appropriations Committee*

**SB 1463 (Scott) – Division of Proposition 98 funding.**

Authorizes, beginning in the 2005-06 fiscal year through the 2009-2010 fiscal year, a school district to meet the minimum reserve for economic uncertainties standard using restricted account funds, and authorizes the school district to use those funds for any purpose for which budget reserves may be expended.

*Status: Assembly Appropriations Committee*

**SB 1510 (Alpert) – Categorical programs consolidation\*.**

Consolidates more than twenty K-12 education categorical funding programs and some supplemental instruction hourly reimbursement programs into seven categorical block grants, effective beginning in the 2005-06 fiscal year. Block grants created by this bill through the consolidation of existing categorical programs include:

- 7) Pupil Retention Block Grant;
- 8) School Safety Consolidated Competitive Grant;
- 9) Teacher Credentialing Block Grant;
- 10) Professional Development Block Grant;
- 11) Targeted Instructional Improvement Block Grant;
- 12) Instructional Materials Block Grant; and
- 13) School and Library Improvement Block Grant.

\* This bill contains provisions that were incorporated into AB 825 (Firebaugh), Chapter 871, Statutes of 2004.

*Status: Assembly Inactive File*

**SB 1645 (Escutia) – Economic Impact Aid formula review.**

Establishes a task force for the purpose of conducting a yearlong investigation to develop options for restructuring the funding formula for the Economic Impact Aid Program.

*Status: Vetoed*

**SB 1789 (Poochigian) – Categorical programs funding information.**

Requires the state Department of Education to annually compile and update information for each state and federal categorical education program in a form similar to that used by the Bureau of State Audits. At a minimum, this information would be required to include on a per school district basis the amount of funds distributed from each categorical program.

*Status: Senate Education Committee*



## **Instructional Materials and Curriculum**

### **AB 756 (Montanez)—Physical Education Requirements, Grades 1-6.**

Requires a school district to certify annually in writing to parents and guardians of pupils in grades 1-6 that it has provided pupils with 200 minutes of physical education each ten days, encourages each school district with pupils in grades 1-6 to designate a period of time during the school day sufficient for the physical education specialist to prepare lesson plans, to operate an after-school physical education program, to evaluate the physical education program annually, and requires the physical education specialist to provide individual physical fitness and performance assessments to each pupil's parent or guardian.

*Status: Assembly Appropriations Committee*

### **AB 1010 (Pavley) – Instructional materials/electronic formats.**

Requires instructional materials publishers to make material available in an electronic format. The bill specifies that a school district that purchases instructional materials in an electronic multimedia format shall comply with the requirements of existing law as it relates to instructional materials.

*Status: Vetoed*

### **AB 1175 (Koretz) – Curriculum: The Armenian Genocide.**

Requires that the "Armenian Genocide" be considered in the next cycle in which the history/social science curriculum framework and its accompanying instructional materials are adopted. In addition, the bill encourages all state and local professional development activities to provide teachers with content background and resources to assist in teaching about the Armenian Genocide of 1915-23. It requires the State Department of Education to incorporate materials dealing with the Armenian Genocide of 1915-23 into its publications and requires the department to ensure that these are consistent with the history/social science framework.

This bill extends the sunset date of the Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education and the Center for Excellence on the Study of the Holocaust, Genocide, Human Rights and Tolerance and extends the due date for a related report.

*Status: Chapter 364*

### **AB 1696 (Pavley) – Curriculum: The environment.**

Makes technical and clarifying changes to the statutes authorizing the Office of Education on the Environment.

*Status: Vetoed*

### **AB 1872 (Nakano)—Instructional Materials: Labor History.**

Requires instructional materials for social science, history, or civics education, as adopted by the State Board of Education, to contain information related to California's labor history, including tracing the advances and retreats of organized labor.

*Status: Assembly Appropriations Committee*

**AB 1922 (Nation)—Instructional Materials Purchase.**

Authorizes a school district to expend 30% of its instructional materials allowance on materials not adopted by the State Board of Education.

*Status: Assembly Education Committee*

**AB 1972 (Steinberg)—Curriculum: Organ Donation.**

Requires at least 30 minutes of instruction regarding organ and tissue donation as part of the driver education course requirement for grades 7-12.

*Status: Assembly Appropriations Committee*

**AB 2180 (Dutton)—Tolerance Education.**

Encourages school site councils, when they next review their school safety plans, to consider incorporating strategies to assure a safe, respectful, accepting, and emotionally nurturing environment, allows references to religion and religious art and items of religious significance as long as the references do not constitute religious instruction, specifies that statements that coincide with a particular religious belief shall not be construed as promoting that religion, that statements that conflict with a particular religious belief shall not be construed as denigrating that religion, and requires a school district which elects to offer comprehensive sexual health education to ensure that instruction and materials do not teach, promote, or denigrate religious doctrine.

*Status: Assembly Education Committee*

**AB 2220 (La Suer)—Tolerance.**

Declares that respecting the right of students to hold or exercise different beliefs or practices without harassment is the foundations of a stable, violence and hate-free environment, and requires teachers to impress the meaning of tolerance upon students and to foster a climate of understanding whereby disagreement is acceptable when expressed in a peaceful, respectful manner.

*Status: Assembly Education Committee*

**AB 2240 (Oropeza) – Equity in Athletics Bill of Rights.**

Requires that a poster titled Equity in Athletics Bill of Rights be posted at the entrance of every gymnasium and in the male and female locker rooms in each school of a school district that offers competitive or club sports to pupils. Requires the Equity in Athletics Bill of Rights to be posted on the web site of the State Department of Education in both English and Spanish.

*Status: Vetoed*

**AB 2263 (Dutton)—Health Instruction: Gun Safety.**

Encourages the inclusion of instruction on safe firearms storage and accident prevention techniques for persons who encounter a firearm in instruction on public health and safety issues.

*Status: Assembly Education Committee*

**AB 2295 (Hancock) – Academic and career exploration plan.**

Authorizes a school district to provide an individualized academic and career exploration plan for students prior to completion of grade 9, and provides for the development of the plan and its content.

*Status: Vetoed*

**AB 2323 (Jackson)—Gender Equity in Athletics.**

Requires the State Department of Education to develop a Gender Equity Compliance Survey for high schools, and requires any high school that offers competitive or club sport programs to its pupils to complete and submit the survey to State Department of Education (SDE) annually, as part of its Coordinated Compliance Review. It requires SDE to review and summarize the results of the survey and make this information available to the public.

*Status: Assembly Appropriations Committee*

**AB 2327 (Chan)—Nutrition and Physical Activity Instruction.**

Requires the State Department of Education to incorporate exercises and activities related to nutrition and physical activity into the reading, English language development, history/social science, science, and mathematics instructional materials criteria at their next revisions, and requires the State Board of Education, based on recommendations from the Superintendent of Public Instruction to adopt model content standards for health education by December 1, 2006.

*Status: Assembly Appropriations Committee*

**AB 2416 (Goldberg) – Supplemental materials: Reading First.**

Authorizes a local educational agency (LEA) that provides every student in grades K-3 with state-adopted instructional materials in reading to use Reading First Program funds to select and purchase supplemental instructional materials. The LEA must determine that the supplemental materials are standards-aligned and research-based.

*Status: Vetoed*

**AB 2435 (Wiggins) – Financial planning instruction.**

Permits school districts to provide instruction in economics courses related to personal finances including budgeting, savings and credit.

*Status: Vetoed*

**AB 2455 (Canciamilla) – Instructional materials.**

Requires the State Board of Education to establish maximum cost limits for instructional materials, and to consider whether instructional materials for kindergarten through grade 8 are offered at a price that does not exceed maximum costs limits. It requires the State Board of Education to review a request by a local educational agency to allow the continued use of instructional materials already in use. It prohibits the State Board of Education from adopting basic instructional materials in language arts or mathematics for the same grade level in successive years, and it requires a publisher to provide to a school district a second set of instructional materials at a reduced price if the governing board of

the school district certifies that each student has been provided with a state adopted textbook.

*Status: Vetoed*

**AB 2512 (J. Horton) – Instruction: The Role of Filipinos in World War II.**

Specifies that social studies instruction may include instruction on the role of Filipinos in World War II.

*Status: Vetoed*

**AB 2535 (Steinberg) – Instructional materials funding.**

Requires, beginning with the 2004-05 fiscal year, an appropriation of no less than \$175 million in the annual Budget Act for allocation to local educational agencies for purchasing instructional materials.

*Status: Assembly Education Committee*

**AB 2698 (Goldberg)—Dual Language Programs.**

Establishes incentive funding for dual language education programs, which are meant to promote academic achievement and cross-cultural communication.

*Status: Assembly Appropriations Committee*

**AB 2944 (Samuelian)—Instruction—Sikhs Role in the Development of California.**

Encourages school districts to include instruction in history/social science on the role and contributions of the Sikhs in the development of California.

*Status: Assembly Education Committee*

**ACR 195 (Yee)—Braille literacy.**

Encourages school districts, the State Department of Education, the California State University, and the United States Department of Education to generate greater efforts to fund literacy instruction for blind and visually impaired pupils.

*Status: Chapter 134*

**SB 1380 (Escutia) – Instructional materials.**

Requires, beginning January 1, 2006, that the State Board of Education annually solicit recommendations from school districts and county offices of education regarding the adoption of basic instructional materials in core subject areas, including English language development, and adopt these materials unless the State Board of Education makes a written finding that the materials are lacking in specific requirements. The bill also authorizes the use of instructional materials funds for the purchase of the materials.

*Status: Vetoed*

**SB 1405 (Karnette)—Basic Instructional Materials for Secondary Schools.**

Requires the Superintendent of Public Instruction to conduct a process to review high school basic instructional materials, for pupils in grades 9-12, and determine the extent to which these materials are aligned to the state academic content standards adopted by the

State Board of Education. It also specifies that the list of instructional materials produced as a result of this review process is advisory only.

*Status: Assembly Appropriations Committee*

**SB 1421 (Vasconcellos)—Parenting Education.**

Requires a school district, when developing its plan for a comprehensive health program, to include parenting instruction.

*Status: Assembly Appropriations Committee*

## **Instructional Time**

**AB 1820 (Maze) – Four-day school week: Death Valley Unified School District.**

Authorizes the Death Valley Unified School District to operate schools on a four-day school week. The authorization becomes inoperative on July 1, 2008, and will be revoked if any school operating on a four-day week fails to meet its Academic Performance Index growth target.

*Status: Chapter 481*

**AB 2407 (Bermudez) – Kindergarten instructional time.**

Authorizes a school district that is implementing an early primary program to maintain kindergarten classes at different schoolsites within the district for different lengths of time during the schoolday without seeking a waiver from the State Board of Education.

*Status: Chapter 946*

**AB 2942 (Reyes) – Cooper Middle School sunset extension.**

Allows Cooper Middle School in the Fresno Unified School District (FUSD) to extend their school day by 60 minutes until July 1, 2006, as specified in a waiver issued by the State Board of Education. FUSD is authorized to use supplemental instruction funding for the additional instructional time provided to students whose performance on the English language arts and mathematics portion of the California Standards Test is below the basic level.

*Status: Chapter 537*

**SB 1138 (Hollingsworth) – Four-day school week.**

Authorizes six school districts\* to operate one or more schools on a four-day school week. Permanently revokes the authority of a school district to operate a school on a four-day week if that school fails to achieve its annual Academic Performance Index growth target.

\* Borrego Springs Unified School District; Julian Union Elementary School District; Julian Union High School District; Warner Unified School District; Jamul-Dulzura Union Elementary School District; and Marysville Joint Unified School District.

*Status: Chapter 465*

**SB 1142 (Chesbro) – Four-day school week: instructional time penalties.**

Eliminates the fiscal penalty associated with operating school for less than 180 days for school districts that are authorized to operate four-day school weeks.

*Status: Vetoed*

**Principal Training**

**AB 164 (Wolk) – Principal training program.**

Authorizes high school training plans under the Principal Training Program to include professional development activities that include coaching, mentorship, assistance, and intensive support customized to meet the individual needs of high school administrators.

*Status: Chapter 673*

**AB 2225 (Wyland) – Principal Training Program.**

Establishes the High School Administrator Support and Assistance Program (HSASAP), administered by the Superintendent of Public Instruction, and awards incentive funding to provide high school site administrators with professional development in the areas of instructional leadership, teacher support, and data management. The bill also specifies that this program is meant to be a supplemental assistance program to the Principal Training Program.

*Status: Assembly Appropriations Committee*

**AB 2335 (Liu) – Principal Training Program.**

Includes within the curriculum of the Principal Training Program, the evaluation and selection of staff development and in-service training to help schoolsite administrators select courses that will most benefit certificated staff in terms of pedagogical instructional leadership, management skills, or academic subject matter knowledge.

*Status: Assembly Education Committee*

**Pupil Health**

**AB 950 (Haynes) - Sexual health and HIV/AIDS prevention instruction.**

Adds requirements to the parental notice if comprehensive sexual health education of HIV/AIDS prevention education will be taught by outside consultants, or if an assembly will be held to deliver this education and deletes the "opt-out" provisions in law and replaces and replaces them with "opt-in" requirements.

*Status: Assembly Education Committee*

**AB 1006 (Chu) - The Healthy Schools Act of 2004.**

Prohibits public schools from using the most highly toxic pesticides on the school property.

*Status: Senate Agriculture and Water Resources Committee*

**AB 1925 (Haynes) – Sexual education notification.**

Requires a school district to notify the parent or guardian of a pupil if comprehensive sexual health or HIV/AIDS prevention instruction will be taught by outside consultants, or if that instruction is to be provided through an assembly with guest speakers.

*Status: Chapter 323*

**AB 1988 (Hancock) – Federal school meal programs: irradiated beef.**

Requires the governing board of a school district choosing to serve irradiated food in its federal free and reduced price meals program to follow specified notification requirements.

*Status: Vetoed*

**AB 2132 (Reyes) – Self-administration of asthma medication.**

Authorizes a pupil to carry and self-administer asthma medication or to receive assistance from school personnel if the school district receives written statements authorizing assistance and waiving liability.

*Status: Chapter 832*

**AB 2187 (Levine) - School Nutrition Content Chart.**

Requires each public school to post a chart containing the nutritional content of each food item served on campus and requires that the chart be in public view within all school cafeteria, central eating areas or other areas where food is served.

*Status: Assembly Appropriations Committee*

**AB 2196 (Garcia) - Pupil Nutrition.**

Requires, commencing on January 1, 2007, a school district that elects to contract with a commercial food vendor to prepare or provide food for sale to pupils on a school campus to make information available on the nutritional content of all food items sold and authorizes the school district to revoke the contract.

*Status: Assembly Inactive File*

**AB 2200 (Hancock) - School Breakfast Program.**

Requires, commencing with the 2005-06 school year, and each year thereafter, each school district and county superintendent of schools maintaining grades K-12 to make available to each eligible pupil a nutritionally adequate breakfast served through the national School Breakfast Program.

*Status: Assembly Appropriations Committee*

**AB 2367 (Chan) - Pupil health - asthma.**

Requires a school district that receives an asthma action plan to maintain the plan on file and provide it to teachers.

*Status: Assembly Appropriations Committee*

**AB 2504 (Maldonado) – Pupil nutrition.**

Requires the State Department of Health Services (DHS) to administer a two-year pilot program to make available free fresh and dried fruits and vegetables to pupils in 25 eligible elementary and secondary schools throughout the state.

*Status: Vetoed*

**AB 2686 (Jackson) – Nutritional content of school lunches.**

Encourages the governing board of a school district participating in the National School Lunch Program to disseminate information regarding the nutritional content of lunches served as part of the program.

*Status: Vetoed*

**AB 2751 (Yee) - School nutrition guidelines.**

Requires the State Department of Education to develop nutritional guidelines regarding the sugar content of foods served on public school campuses, authorizes the State Department of Education to solicit recommendations from pupils when developing the guidelines, and renames the Child Nutrition Advisory Council to the Child Nutrition and Physical Activity Advisor Council.

*Status: Senate Desk*

**AJR 68 (Parra) – Child nutrition programs.**

Supports the reauthorization of the federal Child Nutrition Improvement and Integrity Act. Urges the President and Congress of the United States to eliminate the reduced-price school meals category and expand the free school meals program to include all children from families with income below 185 percent of the federal poverty level.

*Status: Res. Chapter 101*

**SB 1221 (Morrow) - Pupils: Confidential medical services: parental notification.**

Modifies parent/guardian notice requirements regarding a school districts authority to excuse a pupil from school to obtain confidential medical services without parental or guardian consent.

*Status: Assembly Education Committee*

**SB 1386 (Vasconcellos) – Pupil drug testing.**

Specifies that random drug or alcohol testing of pupils by a school district is permitted only under certain conditions and that non-random drug or alcohol testing is permitted only upon a reasonable suspicion of the unlawful use of a controlled substance, or alcohol, by a pupil.

*Status: Vetoed*

**SB 1566 (Escutia) – School Nutrition.**

Establishes nutrition standards for food served in public schools outside the federal meal program commencing with the 2005-2006 school year. Deletes provisions making the implementation of the school nutrition standards for elementary schools established by previous legislation contingent upon an appropriation of funds for providing nutrition



policy development and increased meal reimbursement, and by extending the existing school nutritional standards for food sold at elementary schools to middle and junior high schools and high schools.

*Status: Assembly Floor*

**SB 1630 (Speier) – Pupil athletes and performance enhancing supplements.**

Requires the Department of Health Services (DHS) to develop a list of performance-enhancing dietary supplements (PED). Requires the California Interscholastic Federation (CIF) to amend its constitution and bylaws to require that school districts prohibit a pupil from participating in high school sports on and after July 1, 2006, unless that pupil agrees not to use any of the prohibited PEDs identified by DHS and the parent or guardian of that pupil signs a notification form regarding those restrictions.

This bill also prohibits schools, commencing July 1, 2006, from accepting sponsorships from manufacturers of PEDs and prohibits certain school employees from selling, distributing, or promoting those supplements.

In addition, this bill requires each high school sports coach to complete a coaching education program developed by his or her school district or by the CIF that meets certain training requirements.

*Status: Vetoed*

**SB 1692 (Vasconcellos) – Pupil health: vision appraisal.**

Requires school districts to provide each pupil, beginning no later than September 1, 2005, a specified notice and questionnaire regarding his/her vision at the time of school vision appraisals.

*Status: Vetoed*

**SB 1798 (Torlakson) – Physical Education.**

Adds new physical education training requirements to the individual professional growth requirement a teacher must meet to renew his or her credential.

*Status: Assembly Appropriation Committee*

**SB 1912 (Ashburn) – Pupil medication: self-administration.**

Authorizes a pupil to carry and self-administer auto-injectable epinephrine medication.

*Status: Chapter 846*

## **Pupil Performance and Assessment**

**AB 356 (Hancock)—STAR Testing.**

Revises the state testing program to change school and staff rewards programs to be only nonmonetary awards, to provide for diagnostic assessment but not standardized testing in grade 2, and to delay the requirement to pass the exit exam for high school graduation.

*Status: Senate Floor*

**AB 921 (Firebaugh)—Primary Language Testing.**

Requires the State Board of Education to seek a waiver from those federal provisions that require assessment of the reading and writing skills of kindergarten and grade one English learners. The bill also extends the STAR program and testing of pupils in grades 3-11, including primary assessment for English Learners, as established by SB 1448 (Alpert), Chapter 233, Statutes of 2004, until July 1, 2011.

*Status: Senate Floor*

**AB 2130 (Wyland)—Standardized Testing.**

Requires the Superintendent of Public Instruction to conduct an annual analysis of STAR test results of those schools that scored below the 50<sup>th</sup> percentile on the API the previous year, and to present the analysis to the governing board of the school at a regularly scheduled meeting.

*Status: Assembly Education Committee*

**AB 2413 (Diaz)—STAR Assessment.**

Makes second grade standardized testing (STAR) and reporting program inoperative as of July 1, 2007, and repealed as of January 1, 2008, and requires the SDE to use funds from Title VI of the federal No Child Left Behind Act of 2001 and funds appropriated by the Budget Act to develop or adopt primary language assessments that are aligned to the state content standards. It requires the Superintendent of Public Instruction, with the approval of State Board of Education, to release at least 25% of STAR test items annually from tests administered in the previous year, and reauthorizes the STAR program for grades 3-11 until January 1, 2012.

*Status: Vetoed*

**AB 2993 (McCarthy)—STAR Reauthorization.**

Reauthorizes the STAR testing program for grades 2-11 until January 1, 2008.

*Status: Assembly Education Committee*

**SB 1448 (Alpert)—STAR Reauthorization.**

Reauthorizes the standardized testing and reporting (STAR) program, which includes the California Standardized Tests for grades 2-11, and the California Achievement Test for grades 3 and 7. This bill extends the STAR program for grades 3-11 until January 1, 2011 and eliminates second grade testing as of July 1, 2007.

*Status: Chapter 233*

## **School Facilities**

**AB 124 (Cogdill) – Bret Harte Union High School District facility funding.**

Allows the State Allocation Board to consider, for the Bret Harte Union High School District only, eligible project costs previously incurred by the school district on a facility project as a credit toward meeting the school district's local matching funds requirement

for school lease purchase program funds, if the costs were incurred and paid by January 1, 1999.

*Status: Vetoed*

**AB 736 (Hancock) – Energy efficiency in school facilities.**

Requires the State Allocation Board, by January 1, 2006, to adopt regulations to implement design standards for school facilities in accordance with guidelines established by the Collaborative for High Performance Schools, and incorporate minimum design and construction criteria developed by the Collaborative.

*Status: Vetoed*

**AB 1126 (Dutton) – Construction cost changes and accessibility costs.**

Requires the State Allocation Board (SAB) to adjust, monthly, the per-unhoused-pupil apportionment for new school construction grants to reflect construction cost changes and requires SAB, in conjunction with the Department of General Services, to review project costs resulting from compliance with the accessibility standards of the California Building Standards Code for modernization projects approved since July 1, 2003.

*Status: Vetoed*

**AB 1465 (Chan) – Small school facilities pilot program.**

Sets aside \$20 million in state school bond funding for a pilot program allowing school districts to receive an increased amount of new construction and modernization funding when constructing or reconfiguring small high schools.

*Status: Chapter 894*

**AB 1486 (Dutra) – Lease-leaseback.**

Requires competitive bidding in order to lease school property to a private party for the purpose of constructing school buildings. Existing law allows a school district to enter into a lease agreement without advertising for bids.

*Status: Vetoed*

**AB 1550 (Daucher) – Williams Settlement; Concept 6 sunset.**

Prohibits the operation of a Concept 6 year-round school schedule after July 1, 2012 and expresses Legislative intent that all school districts eliminate the Concept 6 program as soon as practicable.

*Status: Chapter 901*

**AB 1790 (Corbett) – Seismic Safety.**

Makes certain findings and declarations regarding the need for seismic safety upgrade of certain school facilities. Expresses legislative intent to consider the development of a comprehensive seismic safety upgrade program and to consider the establishment of this program during the development of the next school facilities bond measure.

*Status: Vetoed*

**AB 2035 (Nakano) – Regional Occupational Centers.**

Provides that a regional occupational center shall be deemed to be a school district for the purposes of applying for school facility modernization funding.

*Status: Vetoed*

**AB 2343 (Nation) – Fire sprinklers.**

Requires the inclusion of an automatic fire sprinkler system in school facility modernization projects that have an estimated total cost in excess of \$200,000.

*Status: Vetoed*

**AB 2446 (Montanez) – Joint-use facilities.**

Removes teacher education facilities as eligible joint-use facility projects and allows park and preschool facilities as eligible joint-use facilities.

*Status: Vetoed*

**AB 2485 (Chan) – Environmental hazards.**

Allows the governing board of a school district to make a written request upon any person, corporation, public utility, local publicly owned utility or governmental agency for information necessary or useful to assess the safety of a proposed school site or an addition to an existing school site.

*Status: Chapter 578*

**AB 2567 (Canciamilla) - Facility hardship assistance.**

Prohibits a school district with a negative fiscal status from being disqualified from receiving facility hardship assistance or having its entitlement reduced because the district sold surplus property, if certain conditions are met, including, but not limited to, a determination that the property being sold will not be needed for a school site within the next five years.

*Status: Assembly Education Committee*

**AB 2570 (Dutton) - School facility hardship funding.**

Allows a school district to apply for hardship state school facility funding (both modernization and new construction) if the district demonstrates that due to unusual circumstances that are beyond the control of the district, excessive costs need to be incurred in the construction of school facilities or in the protection of existing school facilities.

*Status: Assembly Appropriations Committee*

**AB 2863 (Pavley) - Indoor air quality.**

Requires, beginning January 1, 2006 a school district applying for state school facilities funds to include in its plans for new construction and modernization of a school building an indoor air quality management plan, and authorizes the use of certain funds to prevent indoor air problems in school facilities.

*Status: Assembly Appropriations Committee*

**AB 2950 (Goldberg) – Critically overcrowded schools.**

Provides alternative methods for an applicant in the critically overcrowded schools program to calculate enrollment for purposes of determining eligibility for the final apportionment for a school facilities construction project.

*Status: Chapter 898*

**SB 6 (Alpert) – William's Settlement; school facilities.**

Establishes the School Facilities Needs Assessment Grant Program and the School Facilities Emergency Repair Account for schools ranking in deciles 1-3 on the Academic Performance Index.

*Status: Chapter 899*

**SB 177 (Hollingsworth) – Surplus property.**

Authorizes the Santee School District and Capistrano Unified School District to sell surplus property together with any personal property located thereon, to any non-profit, for-profit, or governmental entity and to deposit the proceeds into the general fund of the school district or county office of education and to use the proceeds from this transaction for any one-time general fund purpose.

*Status: Chapter 839*

**SB 409 (Hollingsworth) – Maintenance of facilities account.**

Requires for the 2004-05 fiscal year only, school districts that received funding under the State School Facilities Program to deposit in a maintenance of facilities account, an amount equal to 2% of the school district's general fund expenditures, for ongoing and major maintenance of school facilities. Allows that maintenance of facilities account funds in excess of 1 1/2% of the school district general fund budget may count towards the school district's matching funds requirement necessary to receive apportionments from the State School Deferred Maintenance Fund.

*Status: Chapter 195*

**SB 628 (Vasconcellos) – Attendance area school facility eligibility.**

Allows the State Allocation Board to permit an elementary school district to qualify for state school facilities funding based upon the overcrowding condition of a high school attendance area.

*Status: Vetoed*

**SB 1129 (Johnson) - Surplus property sales.**

Authorizes a school district, with certain conditions, to sell, sell back, lease, or leaseback, property together with improvements located thereon, owned by the district for at least 20 years to any nonprofit, for profit, or governmental entity and to deposit the proceeds into the general fund of the school district and to use the proceeds from this transaction for any general fund purpose, except for salaries and benefits.

*Status: Assembly Appropriations Committee*

**SB 1906 (Sher) – Surplus property.**

Authorizes the Santa Clara Unified School District to deposit proceeds from the sale of surplus real property into the general fund of the school district or county office of education and to use the proceeds for any one-time general fund purpose.

*Status: Chapter 838*

## **School Reform and Accountability**

**AB 745 (Goldberg) – Employee compensation report.**

Requires a county superintendent of schools and the governing board of a school district, if they have ten or more full time employees, and the governing board of a community college district to annually report all compensation received for the five highest-compensated administrative, certificated, and classified personnel.

*Status: Vetoed*

**AB 816 (Reyes) – Review of categorical programs.**

Allows the Superintendent of Public Instruction (SPI) to add categorical programs to the consolidated application, and allows the SPI to use data from categorical programs to monitor student outcomes as part of a revised compliance system.

*Status: Senate Inactive File*

**AB 1987 (Steinberg) – High Priority Schools Grant Program.**

Clarifies that schools that received a planning grant for the state's High Priority Schools Grant Program in 2001-02 are limited to receiving funding only through 2004-05.

*Status: Chapter 757*

**AB 2050 (Nakanishi)—Notification of Public Hearings.**

Changes the method by which local education agencies (LEAs) notify the general public of hearings to determine the availability of sufficient instructional materials, allows an LEA to notify the public in the same manner that it customarily provides other similar notices and information, and deletes the 10 day notice requirement for the public hearing.

*Status: Assembly Education Committee*

**AB 2066 (Steinberg) – Underperforming Schools.**

Provides additional funding to school districts for schools identified for program improvement and corrective action under the federal No Child Left Behind Act of 2001.

*Status: Chapter 579*

**AB 2596 (Liu) – School Accountability Report Card.**

Requires high schools to report specified information about career technical education programs on its School Accountability Report Card, and strikes out related reporting requirements.

*Status: Vetoed*

**AB 2744 (Goldberg) – Content standards review and revision.**

Authorizes the Superintendent of Public Instruction to appoint content standards review panels in each core subject area two years prior to the adoption of the curriculum for each subject area. The bill allows the State Board of Education to accept or reject the proposed content and performance standards.

*Status: Vetoed*

**AB 2860 (Pavley)—Kindergarten Age of Admission.**

Allows school districts to require children to be age five by September 1 for admission to Kindergarten.

*Status: Senate Rules Committee*

**SB 298 (Dunn) – School district governing board accountability.**

Authorizes the Superintendent of Public Instruction (SPI) to appoint a trustee to assume the duties of a governing board of a school district if the SPI finds that the governing board has committed an act or omission that places the school district out of compliance with any provision of law and in jeopardy of losing state or federal funding.

*Status: Assembly Education Committee*

**SB 722 (McPherson) – Academic assessment.**

Amends existing law relating to the Academic Performance Index so that it conforms with requirements of the federal No Child Left Behind Act of 2001 and with the federal definition of annual yearly progress for the purpose of assessing school and school district progress toward meeting federal improvement targets.

*Status: Chapter 915*

**SB 1419 (Vasconcellos) – Opportunities for Teaching and Learning Index.**

Provides for the development of the Opportunities for Teaching and Learning Index as a component of the Public School Accountability Program in order to measure the learning opportunities for K-12 pupils.

*Status: Vetoed*

**SB 1448 (Alpert) – STAR reauthorization.**

Reauthorizes the standardized testing and reporting (STAR) program, which includes the California Standardized Tests for grades 2-11, and the California Achievement Test for grades 3 and 7. This bill extends the STAR program for grades 3-11 until January 1, 2011 and eliminates second grade testing as of July 1, 2007.

*Status: Chapter 233*

**SB 1536 (McPherson)—Counseling Services/School Accountability Report Card.**

Amends the Classroom Instructional Improvement and Accountability Act so that the availability of only credentialed personnel to provide counseling and other pupil support services is reported in the School Accountability Report Card.

*Status: Senate Floor*

**SB 1720 (Vasconcellos) – Accountability for conditions of teaching and learning.**

Specifies legislative intent to establish a school accountability and support system which assures that each school district and county superintendent of schools provide pupils with fully credentialed instructors and adequate instructional materials in a clean and safe facility.

*Status: Assembly desk*

**SB 1795 (Alarcon)—High School Reform.**

Authorizes the Superintendent of Public Instruction to convene an advisory panel to develop a challenging standards-based curriculum; the majority of the panel shall consist of middle and high school teachers with competence in particular subject areas, including career technical education, currently teaching in these subject areas. This panel shall only convene if private funding is provided, and the superintendent shall report findings and progress to the Legislature on or before January 1, 2007.

*Status: Assembly Floor*

**School Safety**

**AB 1012 (Steinberg) - Pupil interrogation.**

Requires an elementary school principal to take immediate steps to obtain the consent of a parent or guardian of a pupil before making that pupil available to a peace officer for questioning and requires that, before making a high school pupil under age 18 years available to a peace officer for the purpose of questioning by the peace officer, the secondary school principal or his or her designee to inform the pupil that the pupil has the right to request that his or her parent or other adult selected by the pupil be present during the questioning.

*Status: Vetoed*

**SB 76 (Denham) – Suspension classroom supervision.**

Authorizes school districts to request approval from the State Board of Education in order to claim apportionments for students attending an in-school suspension classroom which is supervised by a non-certificated staff if the attending pupils are allowed to complete for credit any assignments or tests that would otherwise be missed during the period of suspension and all of the following conditions are met:

- 1) Apportionments are claimed for no more that five pupils per day;
- 2) A certificated employee monitors the classroom not less than 2 times per day; and,
- 3) Apportionments are not claimed for a particular pupil for more than 10 days in an academic year.

*Status: Vetoed*



**SB 1177 (Scott) - Gun violence prevention.**

Encourages a school site council, when updating its school's safety plan, to consider the inclusion of gun violence prevention in health education programs in high schools.

*Status: Vetoed*

**Special Education**

**AB 42 (Daucher) – Due process hearing requirements.**

Requires that, when a special education due process hearing results in a nonpublic, nonsectarian school placement or the provision of nonpublic, nonsectarian agency services, a written, reasoned decision shall be mailed to all parties to the hearing within 45 days of receipt by the Superintendent of Public Instruction of the request for a hearing.

*Status: Chapter 408*

**AB 152 (Levine) – Special education omnibus.**

Makes amendments to the special education provisions of the Education Code to conform to the federal Individuals with Disabilities Education Act.

*Status: Chapter 161*

**AB 662 (Dutra) – Visually Impaired Pupils Task Force.**

Establishes the Advisory Task Force for the Education of Visually Impaired Pupils within the State Department of Education in order to ensure that the Legislature, the Governor, and other appropriate parties are provided with the input necessary to formulate the most effective policy for the education of visually impaired pupils.

*Status: Vetoed*

**AB 1858 (Steinberg) – Special Education and foster care pupils.**

Places new requirements on nonpublic schools that provide special education to foster youth who reside in licensed children's institutions and foster family homes.

*Status: Chapter 914*

**AB 2015 (Chu) – Individualized Education Plan meetings.**

Requires that an Individualized Education Program (IEP) team include a foster care child with exceptional needs who is over the age of 13 in an IEP meeting, if a surrogate parent has been appointed to represent his or her interests and specifies that the pupil has a right to decline participation.

*Status: Vetoed*

**AB 2359 (Daucher) - Private school cost reimbursement.**

Requires that, if a parent or guardian of an individual with exceptional needs (pupil) who previously received special education services under the authority of a school district, special education local plan area, or county office of education, enrolls the pupil in a private school, on or after January 1, 2005, without the consent of or referral by the local education agency (LEA), a court or a due process hearing officer may require the LEA to

reimburse the parent for the cost of that enrollment, calculated from the date that the court action was filed or the date that the due process hearing was initiated.

*Status: Assembly Appropriations Committee*

**AB 2360 (Daucher) - Standardized Testing and Reporting (STAR).**

Requires that each pupil placed in a nonpublic, nonsectarian school by a school district, special education local plan area or county office of education is tested in accordance with the STAR program.

*Status: Assembly Appropriations Committee*

**AB 2361 (Daucher) - Special education federal funding.**

Specifies, commencing with the 2009-10 fiscal year, that the amount of federal funds used for the purposes of special education funding calculations may not exceed the amount of federal funds used in the calculation for the special education local plan area (SELPA) for the prior fiscal year, except that the Superintendent of Public Instruction may make adjustments necessary to reflect the changes in the configuration of a SELPA.

*Status: Assembly Appropriations Committee*

**AB 2362 (Daucher) – Due process hearing.**

Provides that the hearing officer in a special education due process hearing may not base a decision solely on non-substantive procedural errors, unless the hearing officer finds that the errors resulted in the loss of an educational opportunity or interfered with parental rights to participate in the process of formulating an individualized education program.

*Status: Chapter 81*

**AB 2845 (La Suer) – Behavior Analysts.**

Provides that a person recognized by the national Behavior Analyst Certification Board as a Board Certified Behavior Analyst qualifies to work as a behavioral intervention case manager of a school district, special education local plan area or county office of education, and may conduct behavior assessments and provide behavioral intervention services.

*Status: Chapter 174*

**AJR 83 (Dauchr) – Special Education federal funding.**

Memorializes the President and the Congress of the United States to provide the full federal share of funding for special education programs to the states so that this state and other states will not be required to take funding from other vital state and local programs to fund this under-funded federal mandate.

*Status: Res. Chapter 132*

**SB 1316 (Alpert) - Nonpublic, nonsectarian schools.**

Places new requirements on nonpublic, nonsectarian schools that provide special education to foster youth who reside in licensed children's institutions and foster family homes.

*Status: Assembly Floor*

**SB 1348 (Machado) - Alternative dispute resolution.**

Authorizes grants, subject to the availability of federal funds, to Special Education Local Plan Area Agencies to implement alternative dispute resolution programs for special education.

*Status: Assembly Appropriations Committee*

**SB 1895 (Burton) – Mental health services for special education pupils.**

Modifies mental health service delivery for students with special needs.

*Status: Chapter 493*

## **The Teaching Profession**

**AB 242 (Liu) – School personnel.**

Replaces existing emergency permits with two new emergency documents that require stricter standards to obtain and are valid for not more than 2 years. The bill also contains higher education provisions, which require reporting about how policies and practices compare to actual ratios of temporary to permanent tenure-track faculty.

*Status: Vetoed*

**AB 1650 (Simitian) – Teacher Support and Development Act of 2005.**

Establishes the Teacher Support and Development Act of 2005 by consolidating and streamlining a number of existing K-12 teacher support and development programs into a formula-based block grant.

*Status: Vetoed*

**AB 1993 (Mullin) – Staff Development: San Mateo County Pilot Project.**

Establishes the San Mateo County Staff Development Pilot Program which authorizes, commencing with the 2005-06 fiscal year, the governing board of a school district located within San Mateo County to adopt and implement, on a pilot program basis, a plan to use up to four of the required 180 days of instruction, without loss of average daily attendance (ADA) funding, for staff development.

*Status: Assembly Appropriations Committee*

**AB 2154 (Daucher) - Certificated School Employees.**

Exempts the governing board of a school district from the requirement to reimburse the cost of a bond (furnished by the employee upon compulsory leave of absence) or pay full compensation for the period of the compulsory leave of absence, if the charges against the employee are dismissed because the employee completed a drug diversion program.

*Status: Assembly Education Committee*

**AB 2171 (Benoit) – Teacher credentialing: special education.**

Allows school social workers who are prelingually deaf candidates to receive a Pupil Personnel Services Credential without passing the California Basic Education Skills Test.

*Status: Chapter 106*

**AB 2210 (Liu) – Teacher support.**

Exempts a professional clear credential candidate from induction requirements and requires the Commission on Teacher Credentialing to accept in its place completion of a fifth year of study if either an induction program is verified as unavailable to the beginning teacher or the beginning teacher is required under the federal No Child Left Behind Act to complete subject matter coursework to qualify for a teaching assignment.

*Status: Chapter 343*

**AB 2286 (Mountjoy) – Special education early credential completion.**

Requires that an intern be provided the opportunity to choose an early program completion option if the intern meets specified criteria and is accepted to a special education credential program that provides instruction to individuals with mild and moderate disabilities.

*Status: Chapter 658*

**AB 2370 (Goldberg) – Pupil evaluations of teachers.**

Permits a teacher to solicit pupil evaluations of his or her courses and prohibits certain actions from being taken against a teacher or pupil as a result of a pupil evaluation.

*Status: Vetoed*

**AB 2394 (Dutra) - Teachers: Instructing Deaf Pupils: Salaries.**

Applies the hiring criteria for hiring a certificated employee or a substitute teacher at the California School for the Deaf (CSD) to all school districts or county offices of education (COE) and requires comparable salaries for teachers, specialists and administrators of state special schools.

*Status: Assembly Appropriations Committee*

**AB 2559 (Diaz) - Teacher Preparation and Professional Development Program Evaluation.**

Requires school districts and county offices of education to convene committees composed of teachers to annually evaluate and make recommendations for the improvement of professional development and induction programs.

*Status: Senate Appropriations Committee*

**AB 2664 (Maddox) – Teacher Credentialing: Specialist Instruction.**

Provides that the specialty requiring advanced preparation or special competence be an academic specialty as defined by the Commission on Teacher Credentialing.

*Status: Assembly Education Committee*

**AB 2913 (Salinas) – Teachers of Limited English Proficient Students.**

Extends the sunset date from January 1, 2005 to January 1, 2008 for experienced teachers to complete staff development in methods for delivering specially designed content instruction to teach English to limited English proficient students.

*Status: Chapter 169*

**SB 1208 (Vincent) – Retired teachers.**

Exempts retired teachers from the requirement to pass the California Basic Skills Test when being considered for employment by a school district if the teacher has taught for at least 15 years and has met other requirements.

*Status: Chapter 113*

**SB 1621 (Machado) – Special education teacher pilot program.**

Requires the Commission on Teacher Credentialing to participate in a pilot program to provide teacher preparation programs for teachers of pupils with disabilities in special education classes. Authorizes the Commission on Teacher Credentialing to issue district intern credentials allowing participants in the programs to provide classroom instruction to pupils with disabilities in special education classes.

*Status: Chapter 287*

**SB 1658 (Karnette) – Emergency permits.**

Permits the Commission on Teacher Credentialing to issue or reissue emergency permits for less than one year, but not to exceed one year.

*Status: Chapter 55*

## **Other Legislation**

**AB 97 (Nation) – Inter-district transfer.**

Re-enacts the School Districts of Choice authorization for inter-district attendance which self-repealed on January 1, 2004 and sunsets this authorization on January 1, 2008.

Extends, for one year, a special education funding mechanism.

*Status: Chapter 21*

**AB 349 (Haynes) - Cal Grants for Kids Pilot Program.**

Requires the State Department of Education to establish a pilot program that allows parents who reside in the Compton Unified School District and who have a total household income of \$40,000 per year or less, to request educational certificates for their children to be used for educational services at a participating public or private school.

*Status: Assembly Education Committee*

**AB 780 (Cogdill) – Local approval of school district unification.**

Authorizes Fresno, Humboldt and Ventura Counties, rather than the State Board of Education, to approve school district unification proposals. Approval of the State Board of Education would be required in the event that the county decision on a reorganization proposal is appealed.

*Status: Chapter 652*

**AB 858 (Goldberg) – School mascots.**

Establishes the California Racial Mascots Act that prohibits, commencing on January 1, 2006, all public schools from using the term Redskins for school or athletic team names, mascots, or nicknames.

*Status: Vetoed*

**AB 1819 (La Malfa) - Concurrent enrollment.**

Deletes the 5% cap on the number of special admit students who may be recommended by a principal for community college summer session attendance and deletes the restricted authority of a principal to only recommend a pupil for community college summer session if that pupil demonstrates adequate preparation in the discipline to be studied and has exhausted opportunities to enroll in an equivalent course.

*Status: Senate Education Committee*

**AB 1832 (Maze)—School Uniforms: Pilot Program.**

Authorizes the governing board of the Porterville Unified School District to adopt a three-year school uniform pilot program for continuation high schools and community day schools in the district, and specifies a specific parental opt-out policy.

*Status: Senate Education Committee*

**AB 1846 (Goldberg) – Governance.**

Designates the office of the Superintendent of Public Instruction as the state educational agency to carry out the purposes and provisions of the federal No Child Left Behind Act.

*Status: Vetoed*

**AB 1897 (Reyes) – Pupil members on school district governing boards.**

Requires, beginning July 1, 2005, each school district with one or more high schools to appoint a preferential voting pupil member to the governing board of the school district, and requires that a pupil member not take any action as a member of the board that would incur any cost of the school district without the consent of the board.

*Status: Vetoed*

**AB 2017 (Bermudez) - Pupil Volunteer Award Program.**

Establishes the Pupil Volunteer Award Program and specifies the intent of the Legislature to promote civic service in high schools throughout the state by providing special recognition to certain high school pupils who obtain a specified number of valid community service hours.

*Status: Senate Education Committee*

**AB 2051 (Nakanishi)—Standard Dress Appearance Policy.**

Distinguishes dress appearance policies for public schools from school uniform policies, and requires the governing board of the local education agency to provide written notice of the dress appearance policy at least six months before implementation. Specifies that a governing board of a school district that adopts a standard dress appearance policy shall allow a parent or guardian to exempt their son or daughter from the standard dress appearance policy unless a school principal demonstrates to the governing board of a district that the exemption of a pupil from the standard dress appearance policy would result in safety concerns for pupils and staff at the school. A parent or guardian may exempt their pupil from the standard dress appearance policy by demonstrating to the designee of the governing board that their objection based on a religious or philosophical tenet.

*Status: Assembly Education Committee*

**AB 2525 (Committee on Education) – Omnibus bill.**

The annual education omnibus bill makes numerous non-controversial, conforming, correcting, and technical changes to various education statutes and budget items.

*Status: Chapter 896*

**AB 2569 (Yee) - Comprehensive Pupil Learning Support System.**

Establishes the Comprehensive Pupil Learning Support System (CPLSS), to provide all pupils with a support system to ensure they will be productive and responsible learners and citizens. Specifies that CPLSS must be implemented with existing personnel and program resources, without the need for additional or new appropriations.

*Status: Assembly Appropriations Committee*

**AB 2614 (Levine) – Public contracts: school districts.**

Prohibits acceptance of contract bid proposals from a bidder who is required to submit a completed questionnaire and financial statement, but has not done so at least 15 days prior to the date set for opening sealed bids. Allows a school district, in addition to existing notice requirements, to post a call for bids on the school district's Web site or other electronic portal, and authorizes a school district to house, post and open bids on a Web site. Requires that all bids be opened at the same time and place and, to the extent possible, be opened on the date designated in the public notices.

*Status: Vetoed*

**AB 2706 (Berg) – Educational Technology Grants.**

Repeals the priorities for awarding grants under the Educational Technology Grant Program and instead specifies that first priority will be given to schools with the highest percentage of pupils from families below the poverty line, based on the federal No Child Left Behind Act of 2001.

*Status: Chapter 681*

**AB 2765 (Bates)—Longitudinal Pupil Data Base.**

Requires the California longitudinal pupil data system contracted for by the State Department of Education to provide for a determination of the value added to pupil achievement by programs or courses as individual pupils progress through successive years of schooling.

*Status: Assembly Education Committee*

**AB 2800 (Mountjoy)—Electronic Plagiarism.**

Establishes in the General Education Code provisions that mirror provisions in the Donahoe Higher Education Act that prohibit the advertisement, preparation, sale or distribution of academic work to be submitted for academic credit at a postsecondary educational institution, making these provisions applicable to elementary and secondary education as well. The bill also expands applicability of these provisions to specifically include public or private secondary schools and materials submitted for admissions purposes.

*Status: Senate Floor*

**AB 2841 (Salinas and Mullin) – School district reorganizations.**

Recasts and changes various requirements related to school district reorganizations and unifications.

*Status: Vetoed*

**AB 2855 (Laird) – State mandates.**

Modifies or repeals certain state-mandated local programs administered by school districts.

*Status: Chapter 895*

**AB 2970 (Pavley) – Kindergarten.**

Authorizes a school district to maintain kindergarten classes at different schoolsites within the district for different lengths of time and authorizes a school district to change the age at which a child is admitted to kindergarten.

*Status: Assembly Appropriations Committee*

**AB 3015 (Runner) – Governing board vacancies due to military service.**

Changes the current six-month limitation on absence from the state for a governing board member whose absence is due to military service by allowing a school district governing board to extend the absence for an additional six months, and provides for the appointment of interim members to the local governing board.

*Status: Chapter 558*

**ACR 137 (Liu) – Literacy.**

Recognizes the achievements of California Literacy, Inc. in assisting adult literacy programs.

*Status: Res. Chapter 152*

**ACR 140 (Wesson) – Brown v. Board of Education.**

Commemorates the Brown v. Board of Education of Topeka (1954) 347 U.S. 483 decision and proclaims May 17, 2004, as "Brown v. Board of Education and Equality in Education Day." It also urges the State Department of Education to provide model instructional materials to schools that encourage schools to observe the Brown v. Board of Education decision.

*Status: Res. Chapter 76*

**AJR 88 (Nation) – No Child Left Behind.**

Urges the President and the Congress of the United States to fully fund the No Child Left Behind Act of 2001 (NCLB) for the life of the Act. Further urges the Congress to amend NCLB to permit adequate yearly progress to accommodate a range of accountability models, to permit the exclusion of pupils whose parents have chosen not to have their pupil tested, and to provide that a teacher certified under California's certification requirements be deemed "highly qualified" for purposes of NCLB.

*Status: Res. Chapter 182*



**SB 651 (McPherson) – Reading deficits: pupil study team.**

Requires a school district, beginning on July 1, 2005, that receives funding for supplemental instruction in reading to convene a pupil study team for each pupil recommended for retention, or who is at risk of retention, because the pupils reading is determined to be unsatisfactory at the end of second grade.

*Status: Vetoed*

**SB 905 (Chesbro) – K-12 concurrent enrollment at community colleges.**

Eliminates the cap and associated conditions on summer session concurrent enrollment by K-12 students at community colleges, and prohibits these K-12 students from displacing regular community college students.

*Status: Vetoed*

**SB 1254 (Soto) – California Technology Assistance Project.**

Extends, from January 2005 to January 2009, the sunset on the California Technology Assistance Project administered by the State Department of Education.

*Status: Chapter 482*

**SB 1271 (Ortiz) – Grant Union High School District reorganization.**

Imposes specific conditions on a proposal to reorganize the Grant Joint Union High School District (GJUHSD) that is initiated by the Sacramento County Committee on School District Organization and approved by the State Board of Education before December 31, 2007.

*Status: Vetoed*

**SB 1299 (Alarcon) – High school counseling and academic review.**

Clarifies that the Tenth Grade Counseling Program may provide academic review and career counseling prior to the end of the 8th or 9th grades.

*Status: Vetoed*

**SB 1384 (Scott) – Electronic resources for pupil assessment.**

Specifies that the State Superintendent of Public Instruction require the California Learning Resource Network to establish review criteria and a process for the identification and review of electronic learning assessment resources by 12/31/2004.

*Status: Chapter 397*

**SB 1418 (Vasconcellos) – Preamble to the Education Code.**

Declares the purposes of public education in California and sets forth the principles that should guide the operation and future development of the public schools.

*Status: Vetoed*

**SB 1464 (Karnette) – Public contracts: school districts.**

Allows a school district governing board, in addition to existing notice requirements, to post a call for contract bids on the school district's Web site or other electronic portal. Authorizes a school district to accept a bid that was submitted either electronically or on

paper. This bill makes changes to resolve concerns that led to the veto of AB 2614 (Levine).

*Status: Chapter 739*

**SB 1517 (Ashburn) – Retroactive high school diplomas for veterans.**

Authorizes school districts and county offices of education to issue high school diplomas to veterans of World War II, and the Korean and Vietnam Wars who did not receive diplomas because of their military service.

*Status: Chapter 255*

**SB 1771 (Scott) – School district governing board meetings.**

Allows a school board to meet outside its district to interview members of the public residing in another district when considering the potential employment of an applicant for superintendent of the district.

*Status: Chapter 257*

**SB 1802 (McPherson)—Student Study Teams.**

Requires a school district that receives supplemental instruction funding to convene a pupil study team for each pupil who is retained, or at risk of being retained, between the second and third grades because his or her reading ability is unsatisfactory.

*Status: Assembly Appropriations Committee*

**SB 1816 (Vincent) – Termination of school employees.**

Authorizes the Los Angeles County Office of Education, when making reductions in staff initiated during the 2004-05 school year because of a reduction in services or elimination of a county-run juvenile camp program, to retain the employees until the effective date of the closure or reduction in services of that juvenile camp program.

*Status: Chapter 260*

**SCR 54 (Denham) – World Languages and Culture Month.**

Declares May 2004 World Languages and Cultures Month.

*Status: Res. Chapter 32*

## **Williams Case Settlement**

**AB 1550 (Daucher) – Concept 6 sunset.**

Prohibits the operation of a Concept 6 program after July 1, 2012 and expresses Legislative intent that all school districts eliminate the Concept 6 programs as soon as practicable.

*Status: Chapter 901*

**AB 2727 (Daucher) – Clarification of uniform complaint process for facility conditions.**

Clarifies that only emergency or urgent facility conditions that threaten health or safety are subject to correction under the uniform complaint process. This clarification reflects the actual language of the proposed Williams settlement.

*Status: Chapter 903*

**AB 3001 (Nunez) – Teachers.**

Requires the Commission on Teacher Credentialing, specifically for schools ranked in Deciles 1-3 on the 2003 API, to report on the number of teachers serving on emergency permits, waivers or misassignments. Requires a team of experts for districts in financial difficulty to review and report on teacher hiring practices, teacher retention rates, and the number of misassignments and teacher vacancies. Allows qualified out-of-state teachers to meet California's credentialing requirements by demonstrating comparable education training and skills.

*Status: Chapter 902*

**SB 6 (Alpert) – School facilities.**

Establishes the School Facilities Needs Assessment Grant Program and the School Facilities Emergency Repair Account for schools ranking in deciles 1-3 on the Academic Performance Index.

*Status: Chapter 899*

**SB 550 (Vasconcellos) – Student learning.**

Requires each County Superintendent to review annually the sufficiency of instructional materials, the assignment of teachers and the condition of school facilities of schools ranked in deciles 1,2 or 3 of the 2003 API; adds information on the sufficiency of instructional materials, the assignment of teachers and the condition of school facilities to the School Accountability Report Card and provides for annual district audits to review the accuracy of the information reported; requires a uniform complaint process in every district for complaints on inadequate instructional materials, teacher vacancies and misassignments, and emergency or urgent facility problems; requires that local districts attempt to correct teacher misassignments, emergency conditions in facilities and textbook deficiencies, and provides, if necessary, for the State to purchase textbooks for schools that lack them and charge districts for the expense; includes new schools in the High Priority Schools Grant Program when current schools are phased out, maintaining at least \$200 million in annual funding.

*Status: Chapter 900*

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