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Assembly Committee on Education

2006 K-12 Education Legislation

Adult Education

AB 1319 (Liu) — Importance of Adult Education

Makes a number of declarations and findings about the importance and need for adult education programs, expresses the intent of the Legislature to clarify the mission of adult education and develop a clear and coordinated system between the State Department of Education and the California Community College system, and deletes the requirement that community college districts provide adult education programs and classes only if a mutual agreement is adopted between a high school or unified school district and a community college district.

Status: Chapter 264

AB 2153 (Liu) — Adult Education Funds

Removes distance learning programs from the list of adult education programs upon which a school district may expend no more than a total of five percent of their adult block entitlement.

GOVERNOR'S VETO MESSAGE:

While distance learning programs have demonstrated their ability to deliver instruction to students unable to attend traditional classroom-based programs, ongoing issues of fiscal and programmatic accountability argue for a cautious, case-by-case review, rather than the blanket exemption that this bill would provide.

The appropriate venue for requesting an increase in the five percent cap is the State Board of Education, which has the authority to raise the cap to whatever level it deems appropriate. Moreover, as the state's education policymaking body, it has the expertise to evaluate each school district's individual request on its merits.

AB 2255 (De La Torre) — Adult Education High School Exit Examination

Requires that beginning with the 2007-2008 school year, at least one administration of the California High School Exit Examination per year occur on a Saturday to help accommodate students attending adult high schools and night schools who risk missing work on a weekday.

Status: Assembly Appropriations Committee

AB 2417 (Wyland) — Adult Education Programs and High School Exit Examination

Authorizes adult education programs to assist high school students who are eligible to attend adult school in preparing to pass the California High School Exit Examination. Provides that funding, in addition to average daily attendance funding, be provided for this purpose.

Status: Assembly Appropriations Committee

AB 2532 (Karnette) — Adult Education

Requires, commencing in the 2006-07 fiscal year, school districts with adult education programs to allow continuously enrolled high school students to participate in adult secondary education, adult basic education, and English as a Second Language courses for the purposes of passing the California High School Exit Exam. Requires the average daily attendance of those pupils to be reimbursed at the revenue limit of an adult education program, without regard to the 'cap' on adult average daily attendance that may be claimed for state funding.

Status: Senate Appropriations Committee

AB 2780 (Chavez) — Adult Education Funding

Authorizes a school district offering adult education to claim hours spent providing counseling, guidance, testing and assessment services to students enrolled in adult education programs as instructional time for average daily attendance apportionments, but limits the hours claimed under these provisions to a maximum of five percent of the district's total adult education entitlement. Requires districts to submit certification that the needs of the adult school facilities have been considered as part of the requirements to submit an application to the State Allocation Board for new construction or modernization funding.

Status: Assembly Appropriations Committee

After School Programs

SB 638 (Torlakson) — Before and After School Programs

Makes substantive policy and fiscal changes to the 21st Century High School After School Safety and Enrichment for Teens program, the 21st Century Community Learning Centers program, and the After School Education and Safety program by changing the program funding from a reimbursement program to a direct grant program. Increases grant levels, establishes new priorities associated with academic improvement, and makes numerous related changes for the purpose of implementing Proposition 49 (a voter-approved initiative in 2002).

Status: Chapter 380

Career and Technical Education

AB 368 (Evans) — Career Technical Education Equipment Sales

Requires the State Department of Education to develop, maintain, and make accessible to districts via the Internet a registry of career technical education equipment that is listed for sale. Authorizes districts to list on the registry surplus equipment intended for sale.

Status: Chapter 408

AB 1570 (Salinas) — Partnership Academies Expansion

Increases the number of California Partnership Academies to 350 within a six-year period and revises funding formulas, program requirements, and eligibility criteria.

Status: Senate Appropriations Committee

AB 2050 (Canciamilla) — Vocational or Occupational Course Funding

Allows school districts and community college districts to receive funding for a pupil enrolled in a community college for vocational or occupational courses that satisfy graduation requirements, and who is subject to minimum school day attendance requirements and is enrolled in a community college.

Status: Senate Appropriations Committee

AB 2063 (Richman) — Agricultural Youth Leadership Programs

Requires that pupils participating in agricultural youth leadership programs sanctioned by an extension program of the University of California, and approved by the governing board of the school district, be deemed to be participating in intracurricular activities for which the school district may claim average daily attendance as long as the school district requires that the pupil complete any missed class work assignments.

Status: Assembly Appropriations Committee

AB 2107 (Karnette) — Regional Occupational Centers and Programs

Implements several provisions related to increasing access to and providing opportunities for students in Regional Occupational Centers and Programs (ROCP's). These provisions include additional funding and stipulations for the continuation of that funding, expansion to include more students, allowing ROCP's to save money for future use, and additional funds for educational materials.

Status: Assembly Appropriations Committee

AB 2115 (Hancock, et. al.) — Career Technical Education Coordinating Council

Establishes the California Career Technical Education Coordinating Council to identify state and federal career education programs in kindergarten and grades 1-12 schools and to recommend to the Governor and the Legislature ways to coordinate programs and funding streams in order to enhance the effectiveness and economy of those programs.

GOVERNOR'S VETO MESSAGE:

While I support the author's well-placed intentions to coordinate career technical education (CTE) efforts and funding streams in order to enhance the effectiveness of these vital programs, this bill creates another bureaucratic council that will not directly advance career tech programs for our students.

Last year, I signed a package of bills that expanded and improved CTE curriculum in our public schools, aligned curriculum for seamless advanced work in our community colleges, and improved the quality and availability of information for students and parents to make informed choices for their future. This year, the *2006 Budget Act* provides an additional \$100 million for CTE program expansions in the schools and community colleges and one-time funds to purchase state-of-the-art equipment. Further, my infrastructure bond proposal, before the voters in November, includes \$500 million for CTE facilities modernization.

The creation of another advisory council is unnecessary for continuing this historic reinvigoration of career technical education in the schools.

AB 2448 (Hancock) — Regional Occupational Centers and Programs

Phases out the number of adults that can be served through Regional Occupational Centers or Programs (ROCP's) and implements several recommendations by the Legislative Analyst's Office to refocus ROCP services to high school students and ensure the courses are part of occupational course sequences. Makes various revisions to the operation and administration of ROCP's.

Status: Chapter 572

AB 2529 (Salinas) — California Partnership Academies

Expands the California Partnership Academy (CPA) program to a maximum of 500 partnership academies, changes the per-pupil and per-academy grant amounts, allows for up to 55 new grants each year to implement CPAs, and makes changes to the student criteria and district requirements for participation in the CPA program. Requires, in addition to 9th grade teachers and counselors, 8th grade teachers and counselors working in school districts approved to operate academies to identify pupils eligible to participate in an academy.

Status: Assembly Appropriations Committee

AB 2798 (Goldberg) — Probation Youth Education and Vocational Support Act

Enacts the Probation Youth Education and Vocational Support Act, which establishes a three-year pilot project in Los Angeles, Alameda and Sacramento Counties and provides comprehensive integrated services to selected wards ages 15-18 in juvenile ranches, camps, and forestry camps. Requires the pilot project to include among other

components, a standards-based vocational or career technical education program, integrated with or in addition to the existing academic program in the facility.

Status: Assembly Appropriations Committee

SB 560 (Migden) — Career Technical Education

Requires a school district offering grades 9-12 that discontinued any career technical education (CTE) courses or closed any CTE facilities during the 2002-03, 2003-04, 2004-05, or 2005-06 school years to submit to the State Department of Education (SDE) a report on the discontinued courses and closed facilities, if this information is required to be submitted to the SDE or the State Allocation Board (SAB) as a condition of the receipt of CTE facility modernization funding made available by a bond act adopted after January 1, 2007. Requires SDE, by January 1, 2009, to summarize the reports received and to submit a report of its summary to the Legislature.

GOVERNOR'S VETO MESSAGE:

I am very excited about the reinvigoration of career technical education (CTE) in the schools, and I have devoted \$100 million this year to programs and projects that promote the upgrading of facilities and equipment and the creation and expansion of programs that articulate and sequence to postsecondary and certificate programs. Additionally, my proposal to infuse CTE with an additional \$500 million in bond funds so that our state can create the infrastructure to support our expansion of CTE programs, will go to the voters for approval this November.

However, this bill is premature. The activities required by the bill apply only if bond is adopted after January 1, 2007 and if the information is required as a condition of receiving those bond funds. If the Legislature wants to require applicants to provide specified information as a condition of receiving bond funds, those provisions should be included as part of the next school bond measure that it approves.

Charter Schools

AB 2009 (Wolk) — High School Graduation Requirements

Requires charter schools that choose to provide a course of instruction to high school pupils that does not meet the minimum requirements for a diploma of graduation from public high schools to provide a written notice for the parents or guardians of each of the high school pupils enrolled in the schools that includes the following statement: "Upon transfer to another public high school in the state, pupils may be required to complete additional coursework in order to be eligible for a diploma of graduation from a high school under state law."

Status: Assembly Education Committee

AB 2030 (Haynes) — Charter School Revocation

Requires that a school district, county office of education or the State Board of Education (SBE) provide advance notice, hold public hearings and document its reasons, as specified, prior to revoking the charter of a charter school that the agency has granted, and further provides for appeal of any revocation decision. Requires that the chartering authority give the charter school a "reasonable opportunity" to remedy the violation before the chartering authority can submit a written notice of their intent to revoke the charter, and removes the option of seeking judicial review of a revocation decision thereby allowing the SBE to make the final decision.

Status: Chapter 757

AB 2047 (Huff) — Charter School Facilities Grant Program

Strikes the provision of law stating the intent of the Legislature to appropriate \$10 million for the Charter School Facility Program for 2001-02, 2002-03, and 2003-04 fiscal years, and specifies that for the 2006-07 fiscal year and each fiscal year thereafter, the program shall be funded at the level appropriated in the annual Budget Act, or other statute. This bill also strikes the provision of law requiring the State Department of Education (SDE) to submit a report to the Legislature by June 30, 2005.

Status: Assembly Appropriations Committee

AB 2323 (Huff) — Charter School Facility Grant Program

Expands eligibility for the Charter School Facility Grant program by allowing a charter school to receive funding if 50 percent or more, but less than 70 percent, of its enrollment is eligible for free or reduced price meals. Provides that this measure will apply only if all charter schools that meet current eligibility criterion are funded first.

Status: Assembly Appropriations Committee

AB 2954 (Liu) — Charter School Petitions

Adds negative fiscal impact to the reasons that a school district may cite as the basis for refusing to initially approve a charter school, but prohibits this as a basis to deny renewal of a charter. Allows a school district to require that a charter school describe how it will provide free and reduced price meals to eligible pupils as a condition for initial charter approval.

GOVERNOR'S VETO MESSAGE:

While I understand the plight of school districts faced with fiscal challenges of declining enrollment and other management issues, I cannot condone allowing them to deny parents and students their rights to petition for the establishment of a charter school. In essence, this bill would grant school districts the authority to punish charter petitioners because of problems caused by their own fiscal management issues or their unwillingness to make tough decisions, or both.

In addition, allowing school districts to require, as a condition of approval, that the petition describe how the charter school will provide free and

reduced-priced meals to eligible pupils would simply provide districts with another pretext on which to deny a charter. Charter schools are generally exempt from most laws and regulations governing school districts and they should continue to be exempt from this one.

In sum, this bill runs counter to the intent of charter schools, which is to provide parents and students with other options within the public school system and to stimulate competition that improves the quality not only of charter schools, but of non-charter schools as well.

SB 462 (Morrow) — Charter School Facilities in Adjacent Counties

Authorizes a charter school to seek a waiver of the requirement that the pupils served by the school be residents of the same county as the school before the charter may operate a resource center in an adjacent county if the charter school has been in operation for at least two years, meets quality assurance accreditation standards and responsibility, has been determined eligible for full funding of its non-classroom based instruction, and has demonstrated a need for the waiver.

Status: Assembly Education Committee

SB 604 (Aanestad) — Charter School Funding

Authorizes a charter school to receive funding starting at the beginning of a school year based upon the school's prior year enrollment. Allows this funding to be augmented by up to one added grade level of enrollment if the school is adding a grade level as part of a phased start up of the school. Authorizes a charter school in its second or later year of operation to be eligible to receive an advance apportionment if it is adding at least one grade level, and requires that the apportionment be based on an estimate of the average daily attendance for the new grade level.

Status: Chapter 139

SB 1446 (Perata) — Charter School Funding

Specifies a method for adjusting the average daily attendance of a school district that sponsors one or more charter schools to account for pupils who attended a charter school sponsored by the school district in the prior year, but who, in the current year, have enrolled in a noncharter school of the district.

Status: Chapter 653

Early Childhood Education

AB 172 (Chan) — Preschool Budget Appropriation

Appropriates \$50 million identified in the current year Budget Act, with \$45 million to reimburse programs at the same rate currently used for state preschool and \$5 million, at a rate of \$2,500 to each classroom per school year for additional compensation and support. Authorizes \$5 million of unexpended funds from the 2005-2006 Budget Act for

full-day preschool programs, and appropriates \$150,000 from the General Fund to cover State Department of Education costs for administration of the bill.

Status: Chapter 211

AB 1246 (Wolk) — Preschool Learning Standards

Requires the Superintendent of Public Instruction (SPI), by January 1, 2008, to develop and adopt preschool learning standards to prepare children to learn the curriculum upon entering kindergarten and to develop preschool curriculum guides in the following four content areas: Reading/language arts, Mathematics, History/social science and Science. The bill also authorizes the SPI to develop and adopt preschool curriculum standards in additional content areas, using existing resources.

Status: Senate Appropriations Committee

AB 1918 (Wolk) — Supplemental Instruction for Kindergarten and First Grade

Requires public school districts and authorizes charter schools to provide supplemental instruction to students in kindergarten and first grade who have been retained or recommended for retention.

Status: Assembly Appropriations Committee

AB 2046 (Coto) — Full Day Kindergarten

Requires, commencing with the 2008-09 school year, school districts offering kindergarten to implement a full-day kindergarten program, defined as lasting for a minimum of 230 minutes per school day, exclusive of noon intermissions, but inclusive of recesses.

Status: Assembly Appropriations Committee

AB 2150 (McCarthy) — Preschool: California Ready to Start Program

Deletes certain provisions established under Proposition 10 that allocate funds from the California Children and Families First Trust Fund to the California Children and Families Commission (commission) for specified mass media communications and the administrative functions of the commission. Requires, instead, that those funds be deposited in the California Ready to Start Program Fund and be available, upon appropriation, for expenditure for the purposes of the California Ready to Start Program, a program to be administered by the Superintendent of Public Instruction to provide opportunities for children to enhance their readiness for kindergarten and thereby increasing their likelihood for future academic success.

Status: Assembly Education Committee

AB 2596 (S. Runner) — Kindergarten Age of Admission

Moves up by three months, from December 2 to September 1, the date by which a child must be five years old to enroll in kindergarten and six years old to enroll in first grade. Requires any savings realized by the state as a result of this change to the age of admission, to be allocated to schools ranked in deciles 1 to 3, inclusive, on the Academic Performance Index, for preschool programs.

Status: Assembly Appropriations Committee

AB 2881 (Mullin) — Part-Day Preschool Program

Consolidates and renames the current State Preschool Program as the Part-Day Preschool Program and statutorily establishes the Full-Day Preschool Program, both of which must comply with the existing requirements of general child care and development programs. Adds requirements to resource and referral agencies, and requires the Superintendent of Public Instruction to conduct a review of unearned child care and development funds.

GOVERNOR'S VETO MESSAGE:

As is evidenced by my targeted preschool initiative that was enacted through AB 172 this year, I am an advocate for providing working families the opportunity for a preschool program that takes into account the need for full day accommodation. However, last year I vetoed a nearly identical bill as this one, AB 927 (Mullin). Changing the name of the preschool program and codifying existing practice already outlined in contractual agreements with the California Department of Education is not the most effective way to accomplish the goals of this bill. My Administration is committed to working with early childhood development, pre-K professionals, and other stakeholders to continue to advance the goals of this bill.

SB 1750 (Vincent) — Funding and Auditing Child Development Centers

Streamlines and codifies current child care auditing practices and prohibits the acceptance of charitable donations from counting against the level of state child care funding received. Requires private child care providers to conduct an annual single independent financial and compliance audit, pursuant to federal Office of Management and Budget's Circular A-133, which prescribes the process for a single independent financial and compliance audit, including organization-wide audit requirements.

Status: Assembly Appropriations Committee

SB 1764 (G. Runner) — Kindergarten Age of Admission

Establishes the School Readiness Act of 2007 which moves up the dates by which a child must be the appropriate age in order to enroll in kindergarten and first grade, holds districts harmless for any loss or revenues related to this change and requires the additional "hold harmless" funding to be used to provide school readiness programs for children who are displaced from kindergarten.

Status: Assembly Appropriations Committee

Financing Schools

AB 756 (Goldberg) — Flexible Funding for Pupil Achievement Program

Establishes the Flexible Funding for Pupil Achievement Program as a 10-year pilot program to provide additional flexibility and accountability for the use of existing resources at the school site for up to 400 participating elementary, junior high and high

schools from up to 25 school districts. Requires the governing board of a school district to adopt a participation agreement with a school that includes the goals and objectives of the school, the amount of per pupil funding to be allocated to the school, the schedule for submitting an annual school budget, community involvement goals of the school, and requests for bargaining unit agreement waivers and waivers of board policies.

GOVERNOR'S VETO MESSAGE:

This bill would establish the Flexible Funding for Pupil Achievement Program, a pilot program that seeks to enhance school-site budget and programmatic control for participating schools. I commend the effort to support local decision making authority and pupil achievement.

However, I believe that eligibility to participate in such a pilot should be limited to schools with a demonstrated capacity to advance the academic progress of their students under the state's academic accountability system. In addition, once in the program, schools should be required to continue demonstrating progress in student academic achievement in order to remain eligible for continued participation. Only in this way can we ensure that students' academic achievement is not being undermined by this experiment in school finance.

I am also concerned that this bill does not provide for adequate budget and programmatic transparency. For local control to function well, it is vital that the local community is fully informed and empowered to participate in the decision making.

Finally, my bi-partisan committee on education excellence is doing a thoughtful review of education funding issues. After those reports are completed, I look forward to working with education leaders on distilling the information and enacting changes that we believe will improve California's education system.

AB 1482 (Canciamilla) — School District Bonds

Requires the governing board of a school district or community college district to approve by resolution, at a public meeting as an agenda item, the method of sale and other related information when a district intends to issue bonds. Also requires the board, after the sale of the bonds, to disclose the actual cost-of-sale information at a public meeting, and to submit information and reports required by the California Debt and Investment Advisory Commission regarding the sale or planned sale of bonds.

Status: Chapter 213

AB 1758 (Umberg) — High Priority Schools Grant Program

Establishes exit criteria from the High Priority School Grant Program and specifies that if 36 months after the receipt of funding a school is placed in deciles 6-10, inclusive, or if the school achieves positive growth in each year of the last three years of the program

implementation and achieves growth targets in two of those years, the school must exit the program. Sets funding rates for school assistance and intervention teams; contains an urgency clause allowing this bill to take effect immediately upon enactment.

Status: Chapter 19

AB 1782 (Mullin) — Lottery Act: Multistate Lottery, Distribution of Revenues

Places before the voters a measure to authorize the California State Lottery Commission to join a multistate lottery agreement and to establish a new formula, after January 1, 2007, for the distribution of revenues generated from multistate lottery games. Specifies that in each fiscal year, the amount of lottery revenues dedicated to the purchase of instructional materials for pupils enrolled in K - 14 schools and colleges will be capped at the total amount from fiscal year 2004-05 and distributed on an average daily attendance basis. Specifies also that multistate lottery revenues allocated to K – 12 education be based on a weighted per pupil calculation that directs a greater percentage to school districts with English language learner students, students with exceptional needs, and students who receive federal free or reduced cost meals. Establishes a "hold harmless" provision for current lottery revenue recipients that provides for them to annually receive at least the amount of funds they received in FY 2004-05 from the non-multistate lottery, and if there are insufficient non-multistate lottery funds to cover this "hold harmless" provision, a maximum of 40 percent of the annual revenue from the multistate lottery may be used to maintain it.

Status: Senate Education Committee

AB 1874 (Daucher) — Categorical Education Block Grant Consolidation Program

Establishes the Categorical Education Block Grant Consolidation Program which awards participating schools a single block grant for all state categorical education funding with no restrictions on the use of that funding except that the categorical funds for special education programs must be expended in the manner specified under federal law for the special education categorical program.

Status: Assembly Education Committee

AB 1895 (Coto) — Sale of Surplus School Property: Oak Grove Elementary School District

Authorizes the Oak Grove Elementary School District, under certain conditions, to deposit proceeds from the sale of surplus real property and any personal property located thereon, purchased entirely with local funds, 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. Specifies that if the Oak Grove Elementary School District is eligible for hardship assistance, the State Allocation Board shall reduce the award by the amount equivalent to the proceeds from the sale of surplus property. Provides that the authorization granted to the Oak Grove Elementary School District by this bill is repealed on January 1, 2010, unless a later enacted statute that becomes operative on or before that date deletes or extends that date.

Status: Chapter 269

AB 1917 (DeVore) — Teacher and Administrative Personnel: Pay and Benefits

Requires the governing board of a school district to compile a yearly report and to include information in the School Accountability Report Card about each school in the district and the district as a whole regarding the amount expended to pay the salaries and fund employee benefits for personnel.

Status: Assembly Education Committee

AB 2007 (Nava) — Montecito Union Elementary School District

Provides a method to establish a count of average daily attendance (ADA) for the Montecito Union Elementary School District (MUESD) in fiscal year 2003-04 by specifying that the ADA for the second principal apportionment for FY 2003-04 for MUESD is 95.51% of the district's October 2003 California Basic Educational Data System enrollment.

Status: Chapter 101

AB 2020 (Cogdill) — Rural County Unified School Districts: Funding

Requires that the county superintendent of schools calculate an increase in the revenue limit funding of county unified school districts that meet certain qualifications for the attendance of pupils at comprehensive high schools. To qualify for this funding, the boundaries of the county unified school district must have a pupil density ratio of an average of one pupil per five square miles and the comprehensive high school must offer courses that satisfy the requirement for admission to the California State University and the University of California.

Status: Assembly Appropriations Committee

AB 2070 (Daucher) — Revenue Limit Equalization

Establishes, for fiscal year 2006-07, an equalization adjustment, or the revision of school funding formulas to reduce per pupil funding differences in general aid, for school district base revenue limits computed on a goal of raising all per pupil revenue limits to a level above which no more than 10% of the average daily attendance in the state is funded.

Status: Assembly Appropriations Committee

AB 2222 (Núñez) — Professional Development Block Grant

Requires the adjustment of professional development block grant funding for inflation and growth to be made for each fiscal year following the 2006-07 fiscal year.

Status: Assembly Education Committee

AB 2254 (Goldberg) — High Priority Schools Grant Program

Consolidates language and clarifies program requirements for schools in both the state High Priority Schools Grant Program and the federal Comprehensive School Reform Demonstration Program.

Status: Chapter 766

AB 2531 (Mullin) — Education Finance

Establishes a method to apportion general-purpose funding to each school district based on a revised base revenue per pupil and weighted average daily attendance within three grade-span ranges. Conforms charter school grade-span based funding to the provisions of the bill.

GOVERNOR'S VETO MESSAGE:

It is unclear that this bill is necessary as the current revenue limit formula already provides appropriate levels of funding for the different types of districts based on size (small, medium and large) and type (elementary, unified and high school). In addition, the current funding methodology used to calculate charter schools' general-purpose entitlement appear to be effective in targeting funding based on grade-level.

Further, the Governor's Advisory Committee on Education Excellence is currently examining matters of education funding, along with issues related to school governance structures, teacher recruitment and training, and the preparation and retention of school administrators. I am reluctant to enact any significant changes to the state's school funding model before we have the benefit of reviewing the Committee's work and involving stakeholders in a meaningful dialogue.

AB 2717 (Walters) — Low Cost Financing for Charter Schools

Allows the California School Finance Authority to provide tax-exempt, low cost financing to charter schools for use in the construction, repair, or lease of school facilities.

Status: Chapter 325

AB 2793 (Arambula) — Long-Term Liabilities for Retired Employee Health and Welfare Benefits

Requires school districts to develop long-term plans that identify how they will fund post-employment health and welfare benefits for current and future retirees. Requires county superintendents of schools to determine whether the adopted budget includes sufficient funding required to fully fund the plans and to identify the amount of funding necessary. Requires county superintendents of schools to conditionally approve or reject school district budgets based on whether or not they provide adequate assurance that the district will meet its current and future obligations for retired employee health and welfare benefits.

Status: Assembly Education Committee

AB 2797 (Strickland) — Fiscal Penalties and Fines

Authorizes a school district that has violated a statute or regulation, except a statute or regulation related to the reporting of average daily attendance, to have the fine or penalty for that violation waived, with the understanding that upon a subsequent violation of the same statute or regulation, the school district will forfeit the adoption and management of

its budget for two years. The provisions of the bill would apply only to violations of a statute or regulation that occur after January 1, 2007.

Status: Assembly Education Committee

AB 2846 (Daucher) — Local Educational Agencies

Requires the Commission on State Mandates to make an annual preliminary determination of whether a bill chaptered during the preceding year mandates a new program or higher level of service. Establishes an alternative option for local education agencies to receive, as full satisfaction, 80 percent of the total amount of their claims to cover the costs of state mandates.

Status: Assembly Appropriations Committee

AB 3036 (Jones) — Small School Grants

Establishes the Small School Planning and Implementation Grant Program to provide school districts with one-year planning grants to research and develop implementation plans for the establishment of new small schools during an initial year. Provides also implementation grants to implement those plans during the subsequent two-year period. Proposes the establishment of new smaller schools or the redesign of existing schools that would enable maximum flexibility and autonomy in developing and implementing curriculum, scheduling, budgeting, and staffing.

Status: Assembly Appropriations Committee

ACA 21 (Daucher) — School District 'Home Rule' Compacts

Authorizes the governing board of a school district or the home rule compact commission of a school district, if one is established, to propose a home rule compact to the electors of the district. Specifies that a home rule compact must contain provisions for the creation, compensation, powers, duties and terms of a school district governing body, the performance of functions required by state statute, the consolidation and segregation of school district offices, and the timeframe within which these provisions will be completed.

Specifies also that a school district operating under a home rule compact is no longer subject to the general laws governing educational matters, except for laws governing educational matters of statewide concern. "Educational matters of statewide concern" are defined as statewide academic standards; pupil assessments; the assurance of equitable educational opportunities for all students; pupil health and safety requirements; pupil rights; and fiscal and reporting requirements.

Specifies that, if the Academic Performance Index (API) score of any school within a school district operating under a home rule compact, or if the API score of any numerically significant subgroup in any school within a school district operating under a home rule compact is, in any two out of three consecutive years, more than 20 points below the score the school received in the last school year before it was authorized to

operate under a home rule compact, the Superintendent of Public Instruction must notify the Secretary of State and the governing board of the school district that the home rule compact for that school district shall be dissolved.

Status: Assembly Education Committee

SB 767 (Romero) — School District Governance and Mayoral Control – Study and Report

Requires the California Research Bureau to study and report on the governance structure, pupil achievement, funding, labor agreements and infrastructure of thirteen specified school districts, some of which have a mayoral control governance system and others that are governed through an elected board.

Status: Assembly Appropriations Committee

SB 1072 (Simitian) — Professional Development Block Grant

Expands the Professional Development Block Grant by consolidating various categorically funded programs related to teacher training, support, and development programs into a formula allocated block grant. Requires that the governing board of a school district that accepts funds from the professional development block grant created by this bill for purposes of Peer Assistance and Review Program shall continue to negotiate the development and implementation of the program with the exclusive representative of the certificated employees in the district.

Status: Assembly Education Committee

SB 1077 (Simitian) — Fairness in Education Funding Act

Establishes, for fiscal year 2005-06, an equalization adjustment for school district base revenue limits, creating entitlements to equalization funding computed on a goal of raising all per pupil revenue limits to a level above which no more than 10 percent of the average daily attendance (ADA) in the state is funded.

Status: Assembly Education Committee

SB 1133 (Torlakson) — Quality Education Investment Act of 2006

Establishes the Quality Education Investment Act (QEIA) of 2006 for the purposes of implementing the terms of the CTA, et al. v. Schwarzenegger, et al. settlement and discharges the outstanding balance of the maintenance factor resulting from Chapter 213 of 2004, which suspended the state's obligation to meet the constitutionally-required minimum funding level for schools, for fiscal years 2004-05 and 2005-06.

Elementary, secondary and charter schools ranked in either decile 1 or 2 on the 2005 Academic Performance Index (API) are eligible to receive funding under the QEIA.

Establishes all of the following requirements for participation in the program:

- 1) Requires the SPI, in consultation with interested parties, to develop by June 30, 2007, a uniform process to calculate average teacher experience for purposes of reporting, analyzing, and evaluating the distribution of classroom teaching experience among schools within a participating school district.

- 2) Requires the county superintendent of each participating school to annually review the school and its data to determine if the school has met all of the program requirements by the end of the 3rd year of funding. These requirements include reducing class size in grades 4-8 to 25:1 and in core classes in grades 9-12 to 25:1; maintaining a pupil-to-counselor ratio of 300:1 in high schools; demonstrating that an average experience of classroom teachers in the school is equal to or exceeding the average for the school district for similar types of schools; exceeding the API growth target for the school averaged over the first three full years of funding; and, increase actual pupil attendance as compared with monthly enrollment in the school and, for secondary schools, increase graduation rates.
- 3) Meet several interim requirements; including: meeting the program requirements in thirds until the entire program is fully implemented in the 3rd year; provide professional development to at least one-third of teachers and paraprofessionals in the school annually; and, meet all of the requirements of the Williams v. State of California settlement agreement.

Specifies the following funding rates per enrolled pupil, based on prior year CBEDS data, for schools participating in the QEIA: \$500 per pupil for grades K-3; 2) \$900 per pupil for grades 4-8; and \$1,000 per pupil for grades 9-12.

GOVERNOR'S MESSAGE:

I am signing Senate Bill 1133, but reducing the amount provided to the State Department of Education as noted below.

The school community and I were able to work together to reach an amicable resolution to discharge the minimum state education funding requirement of Section 8 of Article XVI of the California Constitution and Chapter 213, Statutes of 2004 for the 2004-05 and 2005-06 fiscal years. I want to thank all the parties that came to the table and worked hard to accomplish this common goal.

While I agree that the State Department of Education will require resources to implement this program and perform the required evaluation, most of the activities required by this legislation will not be undertaken until the first year of program implementation in 2007-08. Further, in some instances, there are activities that will only occur at the beginning of the fifth year of program implementation and only if a school fails to meet the requirements specified in the bill.

For these reasons, I am reducing the augmentation for the State Department of Education from \$1,117,000 to \$350,000 and the number of authorized positions from 9.0 to 3.0 positions. I fully anticipate that the Department of Education will submit a request for additional funding to

implement the program commencing with the 2007-08 fiscal year, which will be evaluated on a workload basis.

Status: Chapter 751

SB 1358 (Runner and Simitian) — School Finance: Revenue Limits

Establishes a statutory formula to make equalizing adjustments to school district revenue limits so that per pupil revenue limits are raised to a fixed point at which 90 percent of all pupils would be attending school districts with revenues that are equal to other districts of the same size and type.

Status: Assembly Education Committee

SB 1367 (Ducheny) — Coachella Valley Unified School District

Recasts and clarifies provisions of existing law governing eligibility for necessary small school funding, including authorization for one elementary school and one high school in the Coachella Valley Unified School District to continue to receive necessary small school funding without regard to the overall size of the district, and provided that the average daily attendance of each school remains less than 287.

Status: Chapter 250

SB 1415 (Scott) — Sale of Surplus School Property

Deletes the authority for using proceeds from the sale of surplus school property or lease of property with the option to purchase for any general fund use. Specifies that proceeds from the sale or lease with the option to purchase of school district property may instead be used for one-time expenditures and may not be used for ongoing expenditures, including, but not limited to, salaries and other general operating expenses. The bill also increases, from 5 years to 10 years, the amount of time in which the district and the State Allocation Board must determine that the district has no need for additional sites or school construction.

Status: Chapter 810

SB 1488 (Hollingsworth) — Sale of Surplus School Property: Santee Elementary School District, Valley Center-Pauma Unified School District, and Capistrano Unified School District

Extends the sunset, from January 1, 2007 to January 1, 2010, of existing law that authorizes the Santee Elementary School District and the Capistrano Unified School District to sell surplus real property and any related personal property located thereon purchased entirely with local funds, and deposit the net proceeds into the local general fund to use for any one-time general fund purpose. Specifies that if the Santee Elementary School District and the Capistrano Unified School District are eligible for hardship assistance, the State Allocation Board shall reduce the awards by the amount equivalent to the proceeds from the sale of surplus property. Provides the Valley Center-Pauma Unified School District with the same authority.

Status: Chapter 661

SB 1674 (Murray) — Public Schools: Meal Reimbursement

Increases the reimbursement rate allocated to K-12 schools and child development centers for free and reduced price meals sold or served within a school district, charter school, or county office of education from \$0.14 to \$0.21 beginning with fiscal year (FY) 2006-07. Funds community colleges at this rate as long as specified nutrition criteria are met.

GOVERNOR'S VETO MESSAGE:

I have long been committed to improving the nutritional quality of foods and beverages available to children in California schools. I believe that if California is going to have any further increase funding for school meals, it should also commit to improving the nutritional quality of the meals.

With the epidemic of childhood obesity as one of the most serious health crises facing our state, now is the time to implement the latest nutrition science on behalf of our children. There are many ways the nutrition of school meals could be improved, such as switching to lower-fat cooking methods, removing trans fats and increasing the availability of fresh produce, whole grains and other healthy choices. The bill fails to include any of these options.

I commit to working with the Legislature next year to identify substantive, measurable and reasonable standards for the school lunch and breakfast programs, in order to eliminate meals with unhealthy trans fats and those foods fried in unhealthy oils, as much as practically possible.

SB 1680 (Perata) — School Finance: Attendance and Enrollment

Replaces average daily attendance as it is used to compute school district revenue limits with average monthly enrollment beginning in fiscal year 2007-08. Requires the Superintendent of Public Instruction to make specified conforming adjustments to the revenue limit of each school district.

GOVERNOR'S VETO MESSAGE:

This bill would change the basis of allocating per-pupil revenue limit funding from the current formula based on average daily attendance to one based on average monthly enrollment beginning with the 2007-08 fiscal year. This bill will significantly change the way the state funds schools, and I am concerned it could remove fiscal incentives currently in place for schools to maximize student attendance. If such a change were to negatively impact student attendance, it would also undermine student achievement because I believe they are better served through rigorous daily classroom instruction.

If the state were to make such a significant change in how it funds schools it should be done with careful research and review. My bi-partisan Committee on Education Excellence is doing a thoughtful review of education funding issues. After those reports are completed, I look forward to working with education leaders on distilling the information and enacting changes that we believe will improve California's education system.

Instructional Materials and Curriculum

AB 307 (Chavez) — Educational Information Technology Requirements

Specifies that schools' required technology plans shall include a component to educate pupils and teachers on ethical behavior in the use of information technology, the concept, purpose and significance of a copyright, and the implications of illegal peer-to-peer network file sharing. Requires the Superintendent of Public Instruction on or before July 1, 2007 to develop guidelines and criteria, for inclusion in education technology plans, information on internet safety and the avoidance of plagiarism for the education of students and teachers.

Status: Chapter 313

AB 1056 (Chu) — Tolerance Instruction

Requires the State Board of Education (SBE) to integrate instruction on inter-group relations and tolerance into the existing frameworks for English Language Arts and History/Social Science.

GOVERNOR'S VETO MESSAGE:

I vetoed a similar bill, AB 723 (Chu, 2005) because it was largely duplicative of current efforts to provide more avenues to teach about tolerance and human rights. For example, current law already establishes a Center for the Excellence on the Study of the Holocaust, Genocide, Human Rights, and Tolerance (Center) to provide teachers the training and resources to effectively teach about these subjects. In addition, the State Board of Education has adopted a Model Curriculum for Human Rights and Genocide that is available to all schools.

Furthermore, the Center is required to submit a report to the Administration and the Legislature no later than January 31, 2007 outlining the activities of the Center and reporting the progress made in achieving its goals. It would be prudent to review the progress being made before any additional actions are contemplated.

AB 1076 (J. Horton) — Social Science Instruction: Filipino Involvement

Encourages instruction to include a component of personal testimony of Filipinos who were involved in World War II in the Philippines and on the home front in oral or video format which expresses the reasons for participating in the war effort, emphasizes the personal courage shown by the participants, and includes comments on the aftermath of the war and the immigration of Filipinos to the U.S.

GOVERNOR'S VETO MESSAGE:

I strongly support the author's intent to recognize the contributions of the Filipinos during World War II. Accordingly, I issued a proclamation on October 19, 2005 recognizing the contributions of Filipinos during World War II and proclaimed October 20 as Filipino-American Veterans Day. In addition, I sent a letter to the State Board of Education recommending that they encourage instruction on World War II to include a component which focuses on the courage and sacrifices of the Filipino people and their soldiers during World War II.

However, I have vetoed nearly identical bills in the last two years and I continue to believe that current law already provides the necessary flexibility for schools to incorporate this topic in their social science instruction and that the State should refrain from legislating the details of school curriculum. Because school districts may provide instruction on any topic not expressly prohibited by the Education Code, the authorization provided by this bill is unnecessary.

AB 1228 (Daucher) — K-12 High Speed Internet Network

Establishes the K-12 High Speed Internet Network (K-12 HSN) for the purpose of providing high-speed, high-bandwidth Internet connectivity to local education agencies. Provides that the SPI may administer a grant program to ensure that all public schools are connected to the K-12 HSN.

Status: Chapter 552

AB 1548 (Pavley) — Instructional Materials: Electronic Format

Establishes a 12-school pilot program which permits the use of instructional materials funds for the purchase of electronic format instructional materials to be instituted through the State Department of Education (SDE) by December 31, 2007.

Status: Chapter 717

AB 1896 (Coto) — High School Curriculum Requirements

Prescribes a course of study for high school graduation with the intent to ensure that all students who graduate from high school are prepared for entrance to postsecondary institutions, the workforce, or both. Requires, that in order to graduate from high school, a student must complete a list of minimum requirements, including courses in social science, English, mathematics, science, visual and performing arts or foreign language,

physical education and any other courses the governing board of the school district may require during grades 9-12.

Status: Assembly Appropriations Committee

AB 1950 (Lieu) — Economics Instruction

Permits school districts to provide instruction in economics courses related to the understanding of personal finances, including: budgeting; savings; credit; and identity theft. Encourages the State Department of Education to consult with financial institutions and organizations that provide instruction related to personal finances in creating this model curriculum.

GOVERNOR'S VETO MESSAGE:

I vetoed a substantially similar bill, AB 2435 (Wiggins, 2004). As I previously stated, the bill is unnecessary because school districts already have the authority to teach budgeting, savings, and credit, under current law. Thus, my veto message remains applicable.

AB 2065 (Liu) — School Library Content Standards

Requires the Superintendent of Public Instruction to develop school library content standards which the State Board of Education must adopt by December 31, 2007. Allows the school library content standards to be taught in collaboration with content area teachers through school library programs.

GOVERNOR'S VETO MESSAGE:

This bill requires the Superintendent of Public Instruction to develop and the State Board of Education (SBE) to adopt, "library content standards." The content standards that the SBE has heretofore adopted define the academic content that a student at each grade level should know, for various subjects. The "library content standards" that this bill would require the SBE to adopt, however, do not meet the definition of our state's academic content standards.

AB 2117 (Coto, et. al.) — English Language Learner Acquisition and Development Pilot Program

Establishes the English Language Learner Acquisition and Development Pilot Program over a period of three years to identify existing best practices regarding topics such as curriculum, instruction, and staff development for teaching English language learners and promoting oral and academic English language fluency.

Status: Chapter 561

AB 2248 (Coto) — Reading First Plan

Authorizes eligibility of schools to receive further Reading First funding, and provides accountability, monitoring, and inclusion components in the California Reading First

Plan in order to make reading instruction for pupils in kindergarten and grades 1-3 more effective.

GOVERNOR'S VETO MESSAGE:

While I strongly support the Reading First program, this bill does not adequately address the concerns that I stated in my veto message included in item 6110-126-0890 of the Budget Act of 2005. In my veto message I stated that I would support legislation that extended the availability of funding for the existing cohorts for the 5th and 6th years. This bill limits the availability of funding for the existing cohorts to 2007-08, which only ensures funding for the sixth year to cohort one and would result in cohort four only being eligible to receive three years of funding. My Administration has continuously advocated that to the extent the federal funds remain available, school districts that are successfully implementing the Reading First program should be able to participate in the program for six years in order to make the school-wide permanent cultural changes to reading instruction.

Further, this bill attempts to create an accountability system for the Reading First program. However, because this bill is technically flawed, it is likely that this bill would only cause confusion at the local level and not result in any further accountability. Moreover, the federal government has already set accountability requirements for this program so it is redundant and unnecessary to have an accountability process at the state level as well.

AB 2311 (Mountjoy) — Socialism, Humanism, and Homosexuality

Prohibits the teaching of socialism, humanism, or homosexuality with the intent to indoctrinate or transform in the mind of any pupil or teacher a preference for socialism, humanism or homosexuality.

Status: Assembly Education Committee

AB 2540 (Hancock) — Online Database Subscriptions for School Libraries

Establishes the California School Library Equitable Access to Digital Resources and Online School Database Program, which creates an online database for use by the school libraries of public elementary and secondary schools. This database should include access to all online databases with purchased subscriptions and instructions for the use of these databases, other school library resources that are appropriate for research and general use by elementary and secondary pupils, teachers and family members, and links to resources appropriate for pupil research that are available through the State Library, the University of California, the California State University and the California Community Colleges.

Status: Assembly Appropriations Committee

AB 2569 (Ridley-Thomas) — Information Technology: Curriculum Standards

Expresses the intent of the Legislature to enact legislation that would incorporate comprehensive information technology standards into curriculum for kindergarten and grades 1 through 12, inclusive.

Status: Assembly Education Committee

AB 2575 (Oropeza) — Elementary and Secondary Education Textbooks

Provides for parental notification and involvement during the committee deliberation process in selecting textbooks for public school classrooms. Emphasizes the importance of parental involvement and input in the selection process and provides that further policies and procedures regarding curriculum and the adoption of other forms of instructional materials include the participation and nomination of parents and other interested community members who may be eligible to participate on the selection committees.

Status: Assembly Education Committee

AB 2654 (Coto) — Instructional Materials Sales

Allows school districts to sell surplus and obsolete instructional materials to any organization that agrees to use the materials for educational purposes.

Status: Senate Appropriations Committee

AB 2722 (Canciamilla) — Textbook Adoption

Prohibits the State Board of Education (SBE) from adopting basic instructional materials in language arts and mathematics for the same grade level in consecutive years.

Status: Chapter 887

AB 2785 (Hancock) — Eighth Grade Counseling Program

Establishes the Eighth Grade Counseling Program with the requirement that it includes forty hours of instruction, counseling, and other activities designed to assist a pupil and his or her parent or guardian in making informed decisions about the course of study for pupils in grades 9-12. Specifies that the instruction shall be provided to cover at least one quarter of the school year to give pupils time to absorb the material, information which will be concerning career and postsecondary education options in the region and state, available academic and vocational options offered locally, and the educational requirements for those options.

Status: Assembly Appropriations Committee

AB 2787 (Niello) — Economics Education

Requires a personal finances component to be added to the content standards for economics in the history/social science curriculum which shall provide a basis for assessment for these personal finance standards.

Status: Assembly Appropriations Committee

AB 2891 (La Malfa) — Prohibited Instruction: Pupil Surveys

Adds "gender" and "sexual orientation" to the list of personal beliefs or practices of a pupil as they relate to the requirement that no test, questionnaire, survey, or examination containing questions about personal beliefs or practices can be administered to any pupil in grades kindergarten through 12. Specifies that such tests, questionnaires, surveys or examinations may only be given if the parent or legal guardian of the pupil is notified in writing that it is to be administered and the parent or guardian gives written permission for the pupil to participate.

Status: Assembly Education Committee

AB 2898 (Daucher) — Algebra Readiness for English Language Learners Pilot Program

Establishes the Algebra Readiness for English language learners (ELL's) Pilot Program. Requires the State Department of Education to administer the program and to award one competitive grant for up to \$750,000, if available, from federal Title III funds to a local educational agency to improve the mathematics proficiency of ELL's.

Status: Assembly Appropriations Committee

SB 696 (Escutia) — Supplemental Instructional Materials

Permits a school district to expend not more than 30 percent of the district instructional materials budget to purchase instructional materials and technology-based materials for kindergarten and grades 1-8 if the school district certifies in writing that the materials are aligned to the content standards.

GOVERNOR'S VETO MESSAGE:

I have previously vetoed bills with similar intentions in the past two years because I believe that California's current standards-aligned textbook adoption process ensures that classroom curriculum is rigorous, and research-based.

I continue to believe that California's students are best served when they receive the highest level of instructional quality, and therefore I am unable to sign this bill.

SB 812 (Soto) — Access and Instructional Integration of Educational Technology

Requires the California Department of Education to determine the extent to which instruction on and access to educational technology is available in the public schools, and to post on the internet data on these.

GOVERNOR'S VETO MESSAGE:

This bill is substantively similar to SB 1006 (Soto), which I vetoed last year.

I strongly support increasing technology access in schools, but this bill is not necessary to achieve that objective. The California Department of Education (CDE) currently collects data on technology access and instructional integration in the schools using the California Technology Survey and the California Technology Assistance Project/EdTechProfile Website. I am concerned that creating a different reporting tool may place duplicative reporting requirements on schools. Nothing precludes the CDE from modifying the data elements collected through these existing efforts, if data collected does not provide sufficient information. Since these changes could be done without legislative authority, I will have my Secretary of Education work with Superintendent O'Connell to coordinate any effort to facilitate the collection of technology data.

SB 1575 (Dunn) — Unlawful Deportation of Citizens and Legal Residents to Mexico During the Great Depression

Requires the social sciences course of study for grades 7-12 to include particular attention to the study of the unconstitutional deportation of citizens and lawful permanent residents of the United States to Mexico during the Great Depression.

GOVERNOR'S VETO MESSAGE:

I clearly recognize the injustice of the unconstitutional federal deportation of American citizens and legal residents to Mexico in the 1930s. For that reason, I signed into law SB 670 (Dunn, Chapter 663, Statutes of 2005) which expressed the apology of the State of California to the victims for the fundamental violations of their basic civil liberties and constitutional rights during the period of illegal deportation. That bill also required a plaque be placed in a designated public location in Los Angeles to commemorate the victims of the repatriation program.

However, I have consistently vetoed legislation that attempts to incorporate specific historical events or groups of people into social science instruction. The State Board of Education adopted content standards that were developed by a diverse group of experts and are necessarily broad to allow coverage of various events and developments. I continue to believe that the State should refrain from being overly prescriptive in school curriculum beyond establishing rigorous academic standards and frameworks.

SB 1769 (Escutia) — Accelerated English Program

Requires the inclusion of an additional option, the accelerated English program, in the 2008 Reading/Language Arts/English Language Development Curriculum Frameworks and Criteria, and allows publishers to submit for adoption instructional materials that conform to the specified criteria for the accelerated English program.

GOVERNOR'S VETO MESSAGE:

We share a common goal on ensuring that California's students who have limited or no proficiency in English become fully proficient as quickly as possible. However, of equal importance is ensuring that all of our students possess the fundamental skills of reading, writing, and speaking appropriate to their grade levels, as defined by California's rigorous academic content standards.

I cannot endorse any effort which may lead to the creation of separate curricula and textbooks that will isolate these students within our public schools. This sort of segregated learning is not only detrimental to the language learning process it would have a divisive impact on our children, classrooms, schools, teachers and our larger society. It undermines the very principle of inclusiveness that inspires so many entrepreneurial and hard-working immigrants to pursue the American dream.

I am still committed to working with the Legislature to restore funding for the State Board of Education. Unfortunately, the Legislature's choice to eliminate the board's funding accomplished nothing. In spite of that, my Administration has taken action to ensure that State Board operations will continue uninterrupted, so that it can continue to fulfill its Constitutional obligations. It is my hope that the Legislature will approve a bill next session that restores the State Board of Education funding without attempting to leverage those funds to advance a policy agenda.

Pupil Health

AB 469 (Yee) — Nutrition Guidelines

Adds foods and beverages "served" to the requirement that the State Department of Education develop and maintain nutrition guidelines for school lunches and breakfasts, or for all food and beverages sold on public school campuses, and adds "sugar" and "sodium" to the list of items that are required to be included in the guidelines.

GOVERNOR'S VETO MESSAGE:

I vetoed a nearly identical bill (AB 444, Yee) last year based on supporting a more direct approach in impacting student health and nutrition in schools, such as my comprehensive nutrition package I signed last year. As I state in the last veto messages, simply revising state level guidelines without any implementation or enforcement mechanism does not address the proliferation of unhealthy foods in any effective or timely manner. Since this bill is substantially similar, the veto message remains applicable.

I would welcome a bill next year that attempts to increase the quality of food served on California school campuses by eliminating meals with unhealthy trans fats and those foods fried in unhealthy oils, as much as practically possible.

AB 569 (Garcia) — School Breakfast Study

Requires the State Department of Education (SDE) to conduct a study on or before March 31, 2007 regarding the feasibility of providing breakfasts at schools that meet the requirements for the federal severe need reimbursement and to report the results of the study to the Legislature on or before April 30, 2007. Provides that the SDE may contract for services to complete the study and is exempt from specific requirements of the Public Contract Code, and makes an appropriation of \$170,000 from the General Fund to cover the costs of performing the study.

Status: Chapter 702

AB 1535 (Núñez) — Instructional School Gardens

Makes changes to the Instructional School Gardens Program (ISGP) and revises the 2006 Budget Act to clarify expenditures for ISGP. Provides that school districts, charter schools, or county offices of education may apply for a three-year grant to support an ISGP at selected schools to complement the academic program for pupils in specified grade levels.

Status: Chapter 437

AB 1667 (Saldaña) — Specialized Physical Health Care Services for Individuals with Exceptional Needs

This bill provides further criteria for determining when qualified designated school personnel (unlicensed personnel) can assist individuals with exceptional needs with specialized physical health care services.

Status: Chapter 414

AB 1779 (Karnette) — Physical Education in Elementary School

Establishes minimum requirements stating that physical education in grades 1-8 must be provided each day for not less than 20 minutes exclusive of recess and the lunch period, provided that this is mutually agreed on through regular collective bargaining procedures that are not undertaken solely for the purpose of determining the manner in which pupils will be provided the minimum amount of physical education instruction. Alternatively requires physical education to be provided for not less than 200 minutes for every 10 school days for at least three days a week if the 20 minute per day requirement is not agreed on through regular collective bargaining procedures that are not undertaken solely for the purpose of determining the manner in which pupils will be provided the minimum amount of instruction in physical education.

Status: Assembly Appropriations Committee

AB 1790 (Cohn) — California Fresh Start (CFS) Pilot Program

Replaces all references to "nutritious" fruits and vegetables with references to "fresh"

fruits and vegetables for the CFS Pilot Program.

Status: Assembly Agriculture Committee

AB 1845 (Chavez) — Physical Education

Eliminates the ability of the school district and the office of the County Superintendent of Schools to exempt students who have passed a physical performance test administered in the ninth grade from courses in physical education.

Status: Assembly Education Committee

AB 1916 (Garcia) — School Meals

Requires, commencing with the 2007-08 school year, each school site that meets the qualifications of the federal severe need reimbursement (as specified under existing federal law), to offer breakfast.

Status: Assembly Appropriations Committee

AB 2121 (Nava) — Farm Fresh Schools Program

Establishes the Farm Fresh Schools Program in the Health and Safety Code to be jointly administered by the California Department of Food and Agriculture and the State Department of Health Services, in consultation with the State Department of Education. Specifies that it is the policy of the state to encourage and take all feasible steps to increase the direct purchase of locally grown and California grown farm products by public schools, and to assist schools and farmers in establishing and maintaining successful farm-to-school programs. Specifies also that the purpose of the Farm Fresh Schools Program is to reduce obesity, improve nutrition and public health, and strengthen local agricultural economies by increasing access to and promoting the consumption of locally and regionally grown fruits and vegetables in schools and increasing access to physical activities and programs that promote pupil wellness.

Status: Assembly Appropriations Committee

AB 2226 (Garcia) — Diabetes Screening

Requires, on or after July 1, 2010, each school district to provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming seventh grade pupils and authorizes the sheet to be provided with other materials distributed at the beginning of the school year.

Status: Chapter 235

AB 2560 (Ridley-Thomas) — Public School Health Center Support Program

Requires the Department of Health Services, in cooperation with the California Department of Education, to establish a Public School Health Center Support Program to be located in the School Health Connections Office.

Status: Chapter 334

AB 2645 (Parra) — Sun Protection

Authorizes pupils to wear hats and sunscreen for sun protection without a note from a parent or a physician and authorizes each schoolsite to also set a policy related to what is considered outdoors for purposes of this bill.

GOVERNOR'S VETO MESSAGE:

This bill is unnecessary since local districts already have the power and responsibility to protect their students from sunstroke and heatstroke. Education Code section 35183.5 already explicitly requires school sites to allow the outdoor use of articles of sun-protective clothing, including hats, and allows school sites to set policies regarding the type of sun-protective clothing permitted. Current law also already requires school sites to allow the use of sunscreen without a physician's note or prescription. I trust that school districts will adopt and enforce local policies to protect their students under the provisions of current law.

Finally, this bill allows school districts to adopt a policy related to "what is considered outdoors" for purposes of this bill. Since nothing in the Education Code currently prohibits this, school districts already have the authority to adopt policies regarding what is considered "outdoors." Nonetheless, as a practical matter I doubt that many districts will need to adopt a clarifying policy on the difference between indoors and outdoors.

AB 2684 (Montañez) — Insurance for Athletic Teams

Requires a school district that operates an interscholastic athletic team to include a specific statement in offers of insurance coverage that is sent to members of the school athletic team. Requires the statement to read as follows:

The requirement in state law that a school district provide all members of a school athletic team with insurance protection for medical and hospital expenses resulting from accidental bodily injuries is satisfied if an individual team member has insurance or a reasonable equivalent of health benefits coverage provided for him or her, including no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling a toll free number.

Status: Chapter 108

AB 2812 (Umberg) — Physical Education: Monetary Rewards

Establishes the Excellence in Physical Education Act of 2006, which requires the State Board of Education to establish a Physical Education Award Program to provide monetary and non-monetary awards to schools that conduct their physical education courses pursuant to the model content standards and demonstrate that increasing numbers of pupils enrolled in that school meet minimum standards on the physical performance test.

Status: Assembly Appropriations Committee

SB 362 (Torlakson) — Physical Education

Adds components to the Categorical Program Monitoring process as it relates to Physical Education; establishes the Physical Education Incentive Grants Program; establishes the Physical Education Professional Development Program Program; and extends the date by which a pupil must pass the Fitnessgram in order to be exempt from PE for 2 years during grades 10 through 12, inclusive.

Status: Assembly Appropriations Committee

SB 562 (Torlakson) — Physical Education: California Interscholastic Federation.

Extends the sunset date from January 1, 2007, to January 1, 2012, for the California Interscholastic Federation; specifies certain reporting requirements and extends indefinitely provisions granting authority to the State Department of Education to supervise physical education courses, as specified.

Status: Chapter 301

Pupil Performance and Assessment

AB 1483 (Arambula) — English Language Learners Assessment

Requires the development and administration of an English language development assessment in early literacy skills to be administered to English learners in kindergarten and grade one until July 1, 2012 and deletes existing restrictions on the assessment of the reading and writing skills of K-1 pupils whose primary language is other than English.

Status: Senate Appropriations Committee

AB 1778 (Lieber) — Release of Pupil Records

Specifies that the desire of the student in regards to the release of his or her information to persons or agencies outweighs the wishes of any other person, and offers the parent, legal guardian, or pupil the ability to indicate on the emergency information request form that he or she chooses to separately prohibit the release of his or her name, address, and telephone number to military recruiters, institutions of higher education, and/or prospective employers.

GOVERNOR'S VETO MESSAGE:

State and federal law already require school districts to notify parents of the types of student information that they release to the public. The notice must include an explanation of a parent's right to request that the information not be disclosed without prior written consent and the method and timeline for making such a request. Ultimately, I believe that schools should maintain the flexibility to develop their own procedures to ensure compliance with state and federal laws without the state dictating how procedures are implemented.

AB 2003 (Yee) — Comprehensive Pupil Learning Support System

Establishes the Comprehensive Pupil Learning Support System (CPLSS) which establishes a network of personal assistance in schools for students, creates links between the community and schools, and encourages home involvement with the intent to increase the success of the federal No Child Left Behind Act of 2001. Specifies that the system is meant to provide all pupils with a support network that will help ensure that they will be productive and responsible learners and citizens and that they will have an equal opportunity to succeed at school in a supportive, caring, respectful, and safe learning environment.

Status: Assembly Appropriations Committee

AB 2023 (Leslie) — Truancy and Educational Conferences

Allows students to be excused from school when they attend and participate in educational conference activities on the subjects of the legislative or judicial process conducted by private nonprofit charitable organizations. Requires that all class work missed on account of these absences be made up by the student upon his or her return.

GOVERNOR'S VETO MESSAGE:

"While I recognize that there are many civic and other educational opportunities outside of the classroom, I am concerned that this bill would excuse student absences without the approval of the school principal. I believe local school districts should continue to be allowed the discretion to establish their own policies and criteria for determining when a student's absence to participate in such activities is appropriate before the absence is considered a legitimate excused absence."

AB 2040 (Chu) — Saturday Administration of California High School Exit Examination

Authorizes the Superintendent of Public Instruction to offer Saturday and Summer administrations of the California High School Exit Examination, if funding is available in the annual Budget Act.

Status: Senate Appropriations Committee

AB 2102 (Saldaña) — Military Dependents Records

Establishes procedures to facilitate and smooth the transfer of school age military dependents and their school records and allow local governing boards to require a military dependent, within reason, to meet the graduation requirements of the district. Also provides early entry transfer, pre-transcript evaluation, pupil support services, and other similar assistance if the parent or legal guardian of the military dependent is serving on active duty or has been discharged from military service within the last year and the transfer of the military dependent to a new school is the direct result of a military transfer or discharge of the parent or legal guardian.

Status: Chapter 608

AB 2163 (Nava) — Fifth Year of High School

Requires a school district or county office of education to allow a student to enroll in a fifth year of high school if the student enrolls before reaching 19 years of age. Proposes other requirements and exceptions for students who have not passed the California High School Exit Exam.

Status: Senate Appropriations Committee

AB 2167 (Arambula) — Pupil Achievement

Requires the State Department of Education (SDE) to use graduation rate data in calculating the Academic Performance Index, changes funding requirements for the California longitudinal pupil achievement data system (CALPADS), and requires SDE to allocate funding to local education agencies to carry out required activities related to CALPADS and graduation rate reporting.

Status: Chapter 743

AB 2180 (Garcia) — California High School Exit Examination

Provides an opportunity for students to take the California High School Exit Examination in ninth grade.

Status: Assembly Appropriations Committee

AB 2418 (Wyland) — Additional High School Exit Examination Section

Requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a section on United States history and government to be included on the California High School Exit Exam, in accordance with the content standards from other state tests for history/social science.

Status: Assembly Appropriations Committee

AB 2434 (Coto) — Concurrent Enrollment

Deletes provisions related to concurrent enrollment in K-12 and community college and establishes a pilot program that would allow principals of schools with students in danger of not passing the California High School Exit Exam to recommend these students for enrollment in collaborative courses at a community college, which would provide high school pupils with additional assistance in passing the exam.

Status: Assembly Higher Education Committee

AB 2937 (Pavley) — High School Exit Examination

Requires the State Department of Education (SDE) to conduct a study to determine which of the California Standards Tests (CSTs), or which combination of those tests, is equivalent to the English language arts and mathematics portion of the California High School Exit Examination (CAHSEE). Requires SDE to determine the performance level on the test or tests that is equivalent to a passing score on the pertinent portion of the CAHSEE and to report its findings to the Legislature as to whether any of these tests is equivalent to the CAHSEE and whether a student who achieves an equivalent passing score on the identified CST should be deemed to have passed that portion of the CAHSEE.

GOVERNOR'S VETO MESSAGE:

This bill would require the CDE to conduct a study to determine which of the CSTs are equivalent to the English language arts or math portions of the CAHSEE and the performance levels that are equivalent to passing scores on its two corresponding parts.

The CAHSEE has withstood every kind of scrutiny possible. A long-running external evaluation of CAHSEE has determined that it tests what it was designed to test, that it is unbiased, and that it is reliable. Given that the CAHSEE has only been a condition of high school graduation for one year, it is premature to even consider potential changes to existing state policy.

AB 2975 (Hancock) — No Child Left Behind Proficiency Level

Requires, as of July 1, 2007, that the definition of “proficient” for purposes of adequate yearly progress (AYP) for the federal No Child Left Behind Act of 2001 (NCLB) be set at the level needed to pass the California High School Exit Examination (CAHSEE). Requires that, by March 31, 2007, the State Board of Education (SBE) shall report to the Education and Budget Committees of the Legislature on its plan for implementing these changes. This plan must include the date the SBE shall submit changes in the definition of “proficient” to the United States Department of Education, an estimate of how the change is likely to affect the likelihood that each school and school district in the state will make AYP under NCLB, and an approach for how each school and school district shall be notified of the change.

GOVERNOR'S VETO MESSAGE:

Redefining the level of academic achievement necessary to designate students as "proficient" does not make the students proficient.

AB 2989 (Karnette) — Mandatory Supplemental Instruction: Long Beach Unified School District

Authorizes the Long Beach Unified School District to require pupils identified pursuant to a policy adopted by the governing board of the school district to participate in a supplemental instruction program authorized by the state. Permits other school districts to participate in these programs if they choose to do so, but specifies that participating school districts shall provide a mechanism that allows parents or legal guardians to decline to enroll their children in such programs and that attendance is not compulsory.
Status: Chapter 586

SB 368 (Escutia) — Community Based English Tutoring Program

Authorizes continued funding of the Community Based English Tutoring (CBET) program and requires school districts, as a condition of receiving funding for the CBET program, to develop a plan for the district certifying that specified objectives are met.
Status: Chapter 632

SB 1442 (Escutia) — Testing Fee Grants for Disadvantaged Students

Authorizes the State Department of Education to award grants to school districts serving economically disadvantaged students to cover the costs of the International Baccalaureate testing program, as well as the Advanced Placement testing program for these students.

Status: Chapter 436

SB 1546 (Alarcon) — Concurrent Award of Diplomas

Provides that a community college district may establish and offer to students a course of study leading to the concurrent award of the associate degree and a high school diploma.

GOVERNOR'S VETO MESSAGE:

This bill circumvents the California High School Exit Exam (CAHSEE) by allowing college districts to concurrently award AA degrees and high school diplomas, without requiring students to pass the CAHSEE. I must reject such a change in policy. If a high school diploma is to mean anything, then those who earn diplomas must demonstrate their mastery of a common core of knowledge by passing an exam explicitly designed to test that mastery: the CAHSEE.

In my education trailer bill of last year, I proposed to make it absolutely clear that community colleges do not have the authority to grant high school diplomas without requiring students to pass the CAHSEE. This bill would move us in precisely the opposite direction.

SB 1580 (Ducheny) — Pupil Assessment

Requires, commencing in fiscal year 2007-08, an English language learner (ELL) who either is literate in his or her primary language or who receives instruction in his or her primary language to take standards aligned assessments in the student's primary language, as soon as such tests are available. Requires ELL's who have attended school in the United States for three consecutive years or more to take the achievement test in English. Requires the scores of the primary language tests be used to determine adequate yearly progress and for purposes of the Academic Performance Index.

GOVERNOR'S VETO MESSAGE:

I vetoed a similar bill last year stating that the bill ran counter to the goal of mastering English as quickly and as comprehensively as possible. I continue to believe that schools should remain focused on providing English learners with the necessary resources and support to become English proficient. As an immigrant myself, I believe strongly that learning English as quickly as possible is essential to success in this state and this country, and therefore want to provide every incentive for our system to promote that goal.

The *2006 Budget Act* reflects this commitment, and includes \$30 million to provide supplemental instructional materials for English learners in grades K-12, \$25 million to provide ongoing professional development opportunities for teachers of English learners, and an increase of \$350 million to the Economic Impact Aid Program to help close the achievement gap of English learners and economically disadvantaged students.

SB 1592 (Romero) — California High School Exit Examination Report

Requires the Superintendent of Public Instruction to report to the Legislature and the Governor by June 30, 2007, the number and percentage of pupils who failed to receive a high school diploma in 2006 because they failed part or all of the California High School Exit Examination. Requires the report to be aggregated according to ethnicity, English learner status, and any other information deemed necessary to understanding the meaning and consequences of failure to pass.

Status: Chapter 674

School Facilities

AB 127 (Núñez and Senator Perata) – Kindergarten-University Public Education Facilities Bond Act of 2006

Authorizes the Kindergarten-University Public Education Facilities Bond Act of 2006 to be placed on the November 2006 ballot. If approved by the voters, authorizes the sale of \$10.416 billion in state general obligation bond funds for the construction and modernization of school facilities, of which \$7.329 billion shall be for kindergarten and grades 1-12 (K-12) facilities and \$3.087 billion shall be for community colleges, University of California, and California State University school facilities.

Status: Chapter 35

AB 162 (Leslie) — School Facilities: Design Plan Review and Approval

Establishes a voluntary alternative collaborative design plan review and approval process for the construction of community college and kindergarten and grades 1-12 school facilities.

Status: Chapter 407

AB 315 (Hancock) – School Facilities: High Performance Schools

Requires the regulations adopted by the State Allocation Board to implement \$100 million from the proceeds of the Kindergarten-University Public Education Facilities Bond Act of 2006 for grants to promote the use of designs and materials that promote high performance schools to: 1) ensure that the school facilities are constructed or modernized in accordance with the rating criteria in the Best Practices Manual produced by the Collaborative for High Performance Schools (CHPS); 2) include incentive-based guidelines that increase the base allocation for a school facilities project based on the number of points it receives using the CHPS rating; and 3) provides an additional award

pursuant to specified high-performance schools goals in the new construction or modernization project.

Status: Senate Rules Committee

AB 607 (Goldberg) — School Facilities; Williams Settlement

Makes a number of changes related to the implementation of the *Williams v. State of California* settlement agreement, including: establishing a grant process for the distribution of School Facilities Emergency Repair program; adjusting the list of deciles 1-3 schools subject to *Williams* oversight and funding; and establishing a statutory definition of "good repair." The bill also authorizes the State Allocation Board to approve a five-year repayment plan for any district required to refund to the state school facilities funds they had previously received.

Status: Chapter 704

AB 1451 (Goldberg) — Construction Eligibility

Increases new construction eligibility for school districts that use Small High School modernization funding to reconfigure a high school. Revises the loading formula used to calculate new construction eligibility.

Status: Senate Appropriations Committee

AB 1846 (Berg) — Minimum Essential School Facilities

Establishes the Minimum Essential School Facilities program and authorizes school districts that lack minimum essential facilities, which include cafeterias, libraries, gymnasiums, multi-purpose rooms, and media and technology centers, or has a minimum

essential facility that fails to meet minimum square footage standards, to apply for state school construction facilities funding from the Kindergarten-University Public Education Facilities Bond Act of 2006 for this purpose.

Status: Assembly Appropriations Committee

AB 1934 (Hancock) — Seismic Safety Upgrade Program

Requires the State Allocation Board to adopt regulations to establish a seismic safety upgrade program that includes grants for seismic safety upgrades to schools within 10 kilometers of an active earthquake fault which are classified as Category 2 buildings by the Seismic Safety Inventory of California Public Schools prepared by the Department of General Services.

Status: Assembly Appropriations Committee

AB 2045 (Parra) — Minimum Essential School Facilities

Provides supplemental funding for minimum essential facilities, defined as a cafeteria/multipurpose room, library/media and technology center, gymnasium, and for a high school campus, a performance stage in an existing building. Authorizes the State Allocation Board (SAB) to approve a request for a supplemental apportionment of up to five percent of the cost of a project for which the final apportionment has been made in order to ensure that all minimum essential facilities are included in the project.

Status: Senate Appropriations Committee

AB 2148 (McCarthy) — School Facilities Supplemental Funds for Project Management

Provides supplemental funds to school districts with an average daily attendance of 2,500 or fewer in the prior year for school facilities project management of new construction or modernization projects approved by the State Allocation Board (SAB) after January 1, 2007. Requires the SAB to adopt regulations establishing the appropriate supplemental allowance, which shall not exceed 5 percent of the total new construction or modernization state grant plus the required contribution amount from local funds.

GOVERNOR'S VETO MESSAGE:

While I believe that this bill attempts to address a real need on the part of small school districts, I am concerned that it would create approximately \$50 million in additional school facility bond costs. As these costs were not factored into the Kindergarten-University Public Education Facilities Bond Act of 2006 that will go before the voters in November, this bill would result in fewer school construction and modernization projects being completed with bond act funding.

For these reasons, I am unable to sign this bill. However, I believe the issue of small district project management should be considered in the context of the next school bond proposal.

AB 2149 (McCarthy) — Americans with Disabilities Act

Establishes a grant program for compliance with the federal American with Disabilities Act of 1990 (ADA) by requiring the State Allocation Board, in consultation with the State Department of Education, and based on the recommendations of the State Architect, to supplement new construction and modernization grants through calculation of separate grant amounts that are equal to the excess costs an applicant school district will incur in complying with access requirements pursuant to the federal ADA.

Status: Assembly Appropriations Committee

AB 2221 (Vargas) — Schoolsite Acquisition Requirements

Requires a school district to provide written notification to the State Allocation Board prior to acquiring title to or leasing property for a schoolsite if the site is within two miles of an airport runway, a potential runway included in an airport master plan that is nearest to the site, or a facility conducting research, development, test and evaluation of Department of Defense weapon systems.

Status: Senate Education Committee

AB 2410 (S. Runner) — Vasquez High School Multipurpose Structure

Requires the State Architect to conduct a study, no later than August 30, 2006, to determine whether the completed, temporary multipurpose structure at Vasquez High School in the Acton-Agua Dulce Unified School District meets the requirements of the

Field Act, especially the state fire and seismic standards for kindergarten and grades 1-12 school facility construction.

Status: Senate Education Committee

AB 2419 (Wyland) — Modernization of Career Technical Education Facilities

Requires, in conjunction with an application for school facilities funding and as a condition of a district receiving funds, the career technical education advisory committee for the district to provide written confirmation that the need for vocational and career technical facilities is being adequately met within the district, consistent with existing laws that require career technical education courses be offered.

Status: Chapter 778

AB 2740 (La Malfa) — Veterans' Day Facilities Use

Adds veterans' organizations to the list of groups able to apply for use of school facilities on Veterans' Day and other days in which school is not in session.

Status: Chapter 205

AB 2783 (Umberg) — Existing School Building Capacity

Allows a school district operating a multi-track year-round education (MTYRE) double-session school as of July 1, 2006, to subtract from its building capacity up to 30 percent of the existing MTYRE building capacity in order to calculate eligibility for new construction if the school district uses this new construction to eliminate the MTYRE calendar at that school.

Status: Senate Appropriations Committee

AB 2824 (Ruskin) — Air Toxics Emission Inventories Program

Requires the California Air Resources Board to augment the Air Toxics Emission Inventories Program in order to make the information more user-friendly and accessible to the general public by January 1, 2008, as well as provide the State Department of Education inventory data within 90 days of request, commencing April 1, 2008, along with any tools necessary to manage the data on the California Department of Education's website.

Status: Senate Environmental Quality Committee

AB 2825 (Ruskin) — Hazardous Emissions and Substances

Requires a school district, in preparing the environmental impact report on a proposed schoolsite, to identify any proposed facilities that emit hazardous air emissions or handle specified hazardous substances within a one-fourth mile of the proposed site. Requires, pursuant to California Environmental Quality Act, a school district to consult with the administering agency in which the proposed schoolsite is located.

GOVERNOR'S VETO MESSAGE:

This bill would require a school district, in preparing an environmental impact report for a proposed school site, to identify any proposed facilities

that, if built, could emit hazardous air emissions or handles specified hazardous substances within one-fourth of a mile of the proposed site.

I am concerned that this bill would impose unnecessary additional costs on school districts requiring them to identify and review potential impacts of proposed facilities that may never be built. Current law provides assurances that schools will not be built near sites containing actual air emissions which could be harmful to school children.

AB 2826 (Ruskin) — School Facilities: Site Contamination

Revises the exemption to minor school facilities projects on the requirements to conduct environmental assessments. Deletes the provision of law authorizing an exemption on the requirements to conduct an environmental assessment pursuant to the California Environmental Quality Act. Provides that a modernization project or improvements that do not require soil disturbance and use only a temporary building for not more than six months is exempted from the requirement to conduct an environmental assessment.

Status: Assembly Education Committee

AB 2834 (S. Runner) — Phase I Environmental Assessment

Authorizes the Department of Toxic Substances Control (DTSC), when a school district governing board is working to acquire a new schoolsite or area for new construction, to adopt regulations authorizing the use of a Phase I Addendum in lieu of a Preliminary Endangerment Assessment (PEA) when the following conditions are met:

- a) The contaminant has been assigned a screening value,
- b) The Phase I is for an environment with well defined contamination,
- c) Precise investigation protocol is available, and,
- d) An addendum would provide sufficient information to ensure an adequate assessment and remediation of the site to protect human health and the environment.

Status: Senate Environmental Quality Committee

AB 2947 (Goldberg) — Transfer of Special Education Programs

Requires the recalculation of future projected enrollment and the number of pupils a district has classroom space for upon the transfer of a special education program between a school district, county office of education, or special education local plan area.

Status: Chapter 585

SB 711 (Dutton) — Civic Center Act

Repeals the requirement that a school district charge a fee for the use of its facilities for religious services and also repeals the requirement that when a school district grants the use of its facilities for religious services, the use must be for temporary periods, on a one-

time or renewable basis, by any church or religious organization that has no suitable meeting place to conduct of the services.

Status: Assembly Education Committee

SB 813 (Denham) – School Facilities Eligibility: Year-Round School Grant Program

Restores eligibility for school facilities funds to a district that receive funding assistance through the Year-Round School Grant Program if the district can provide evidence that it will complete a project within three years that will house the pupils for whom grants were requested. Provides that each school on a multitrack year-round calendar that has a density of 200 or more pupils enrolled per acre that is located in a school district with 30 percent of its pupils attending multitrack year-round schools shall be exempted from the increase in school building capacity required by Section 17071.35 of the Education Code.

Status: Senate Rules Committee

SB 1164 (G. Runner) — Education Facilities Bond Acts

Enacts a series of bond acts that, if approved by the voters, would provide for the issuance of state general obligation bonds in specified amounts, school facilities aid to school districts, county superintendents of schools, and county boards of education, and aid for California public higher education facilities. These bond acts would include the Kindergarten-University Public Education Facilities Bond Act of 2006, which will only become operative if it is approved by the voters at a regularly scheduled election. Enacts the Kindergarten and Grades 1 to 12 Public Education Facilities Bond Act of 2008, the Kindergarten-University Public Education Facilities Bond Act of 2010, the Kindergarten-University Public Education Facilities Bond Act of 2012, and the Kindergarten and Grades 1 to 12 Public Education Facilities Bond Act of 2014, to become operative only if approved by the voters.

Status: Senate Education Committee

SB 1255 (Cox) — Local Agencies — Contracts

Allows a school district with average daily attendance of less than 35,000 to make specified repairs, alterations, or improvements or perform maintenance using the district's own labor forces and equipment without regard to the number of hours on the job.

Rescinds the authority of any school district to erect new buildings by day labor or "force account," which is work carried out by a public agency with its own employees, as distinguished from work performed pursuant to contract with a commercial firm for similar services.

Status: Assembly Business and Professions Committee

SB 1324 (Lowenthal) — Relocatable Buildings

Extends the sunset from September 30, 2007 to September 30, 2015 on the use of relocatable buildings that do not meet Field Act standards but that are approved by the federal Department of Housing and the state Department of Housing and Community Development.

Status: Chapter 308

SB 1677 (Torlakson) — Joint-Use Facilities Program Expansion

Expands the type of projects, partners, and local contributions that are allowed by the Joint-Use Facilities Program. Eligible projects include child wellness center; career technical building or shop; science and technology laboratory; science center with exhibits that meet current state content standards; historical or cultural center with exhibits that meet current state content standards; performing arts center; physical education and outdoor recreation site development; and a parking lot. Authorizes joint-use funds to be used to construct facilities adjacent to a kindergarten and grades 1-12 schoolsite.

GOVERNOR'S VETO MESSAGE:

I am supportive of the Joint-Use Facilities Program because it encourages creative win-win relationships between school districts and community partners. However, I am concerned that this bill would seriously undermine the policy goals and fiscal accountability of the Joint-Use Facilities Program.

This bill would effectively eliminate the requirement that a joint-use partner contribute to the project. All entities benefiting from the project should provide some sort of contribution to the project. I am also concerned that this bill would allow state bond funds to support lower-priority joint-use projects that do not necessarily have direct educational benefits. Joint-Use Facility Program projects funded from education bonds should have some direct educational benefit.

Furthermore, allowing joint-use facilities to be built on private property could jeopardize the tax-exempt nature of bond proceeds authorized for those projects and could also result in a gift of public funds to the extent that the state is prohibited from future use of the site due to changes in ownership or other circumstances beyond the control of the state or the school district.

School Reform and Accountability**AB 36 (Strickland) — Reallocation of Bond Debt and Oxnard Union High School District Reorganization**

Applies provisions of existing law governing the allocation of bonded indebtedness in school district reorganizations to debt incurred by approval of 55 percent of the voters voting on the proposition at a regularly scheduled election or a statewide special election. Requires the Oxnard Union High School District (OUHSD) to accept pupils at Rio Mesa High School who reside in a new school district formed, on or after June 1, 2005, from territory that was formerly part of OUHSD.

Status: Senate Appropriations Committee G&A to Health

AB 1381 (Núñez) — Los Angeles Unified School District Governance

Revises the governance and operation of the Los Angeles Unified School District (LAUSD) in three major areas: broadens the LAUSD Superintendent's authority; limits the authority and responsibilities of the LAUSD governing board; and establishes a council of mayors with specified roles and responsibilities. Establishes the Los Angeles Mayor's Community Partnership for School Excellence to administer a demonstration project to improve pupil performance among the lowest performing schools.

Status: Chapter 299

AB 1837 (Daucher) — School Accountability Report Card

Requires the State Department of Education to recommend a revision of the School Accountability Report Card to the State Board of Education, which requires the following data fields for reporting:

- a) Revenues over \$5,000 from any source;
- b) Expenditures according to function pursuant to the Standardized Account Code developed by the department;
- c) The total number, salary, and benefits of employees, listed by classification, employed by the school, excluding certificated employees; and
- d) The balance of all general, special, and reserve funds.

Status: Assembly Education Committee

AB 2071 (Richman) — Reorganization of School Districts with More Than 500,000 Pupils

Requires, no later than July 1, 2010, the reorganization of the Los Angeles Unified School District, to be conducted by a school district reorganization committee, into several school districts with enrollments of no more than 50,000 pupils.

Status: Assembly Education Committee

AB 2094 (Goldberg) — School District Reorganization

Extends the sunset date to January 1, 2010 for a program that applies to unification petitions commenced on or after January 1, 2005 in Fresno, Humboldt, and Ventura Counties if the county superintendent of schools in those counties elects to be governed by the provisions of the program.

Status: Assembly Education Committee

AB 2101 (Parra) — Pupils in Military Families

Authorizes the governing board of a school district to offer independent study of 1 to 4 days to a pupil that has a parent or guardian serving in the military during the military deployment and homecoming of that parent or guardian. Continues to include these pupils for purposes of computing the average daily attendance of the school district.

Status: Assembly Appropriations Committee

AB 2215 (Goldberg) — Governing Board Compensation

Provides that local governing board members in any district with more than 500,000 average daily attendance for the prior school year shall receive a salary commensurate with their time spent on board duties.

Status: Assembly Appropriations Committee

AB 2431 (Goldberg) — Class Size Reduction

Expands the existing K-3 Class Size Reduction (CSR) Program to include grades 4 and 5 for school districts with jurisdiction over schools that are ranked in deciles 1 to 3, inclusive, on the Academic Performance Index (API) and authorizes, as an alternative to the existing K-3 CSR Program, schools ranked in any of deciles 4 to 10 on the API to maintain a schoolsite average of 22 pupils to 1 teacher with no class exceeding 24 pupils per class.

Status: Assembly Appropriations Committee

AB 2594 (Núñez) — Public School Accountability

Establishes a school accountability system that combines existing state programs to assist and sanction low performing schools and conforms the state effort to match federal requirements of the No Child Left Behind Act.

Status: Senate Appropriations Committee

AB 2606 (Goldberg) — Incentives for School District Consolidation and Unification

Establishes the School District Consolidation and Unification Incentive Program to provide per pupil incentive funding over a three-year period for eligible small school districts that consolidate or unify during the period July 1, 2006 through June 30, 2012 in order to take advantage of economies of scale that will increase efficiency and effectiveness in the delivery of educational services.

Status: Assembly Appropriations Committee

AB 2653 (Dymally) — Accreditation

Establishes the California Commission on Accreditation, which is to be charged with the responsibility of reviewing and accrediting, or reviewing and declining to accredit, all elementary, secondary, and postsecondary schools in California that apply for accreditation.

Status: Assembly Education Committee

AB 2656 (Arambula) — Academic Crisis and Management Assistance Team

Establishes the Academic Crisis and Management Assistance Team to provide support in the form of management assistance, training facilitation, and assistance in developing and implementing recommendations for improving pupil performance and district operations. Provides this support to schools identified as being in need of program improvement or subject to corrective action under the requirements of the federal No Child Left Behind

Act of 2001, including districts with 50% or more of its pupils enrolled in schools ranked in deciles 1 and 2 of the academic performance index.

Status: Assembly Appropriations Committee

AB 2768 (Strickland) — Prohibited Hiring Practices

Prohibits a school district from hiring a current or former superintendent, deputy superintendent, or chief financial officer for any school district in the state as a consultant or lobbyist if he or she has been convicted of a criminal offense regarding fraud, corruption, or fiscal mismanagement in the performance of his or her official duties.

Status: Senate Education Committee

AB 2859 (Arambula) — Local Education Agencies Administration

Provides early focused intervention and assistance for school districts that are undergoing program improvement and that have more than 50 percent of their students in low performing schools.

Status: Assembly Appropriations Committee

AB 2872 (Huff) — School District Reorganization and Voter Representation

Requires petitioners seeking reorganization of school district boundaries or a change in the number of school board members to gather a minimum number of signatures based on the number of voters residing within a school or community college district.

Status: Chapter 126

AB 2921 (Montañez) — School District Governance – LAUSD

Requires the State Department of Education to study the governance structure of the Los Angeles Unified School District, including organization structure, executive and administrative compensation practices, community access to district administrators, and public and parental participation in the policy-making process, and to make recommendations for improvements.

Status: Assembly Appropriations Committee

SB 136 (Denham) — School Attendance Requirements

Specifies that a school district may enroll a pupil in a school in the school district where the parent or guardian of that pupil is employed, provided the parent or guardian is employed for a minimum of 20 hours per week within the boundaries of the school district. Encourages school districts to annually verify a parent's employment in these districts.

Status: Assembly Education Committee

SB 958 (Simitian) — School Districts: Declining Enrollment

Allows school districts, county offices of education, and Special Education Local Plan Areas to base their general purpose funding on a two- or three-year running average of average daily attendance, repealing the current statute that determines how revenue limit average daily attendance is calculated. Authorizes County Offices of Education to use

the new declining enrollment methodology for classes serving special education pupils, court schools, and community day schools.

Status: Assembly Appropriations Committee

SB 1186 (Morrow) — School District Reorganization

Expands, to school districts with 2,500 or fewer units of average daily attendance (ADA), existing authorization for a school district with 900 or fewer ADA to defeat a proposed transfer of territory if a majority of the votes cast by the voters within the school district fail to support the proposal, even though the transfer may be favored by a majority of the votes cast in the entire territory subject to reorganization.

Status: Assembly Education Committee

SB 1284 (Scott) — Academic Performance Index (API)

Updates and makes technical correcting amendments to statutes that establish the API.

Status: Assembly Appropriations Committee

SB 1510 (Alquist) — School Accountability Report Card (SARC)

Repeals specified items that are obsolete or duplicative from the list of information that schools are required to include on the SARC.

GOVERNOR'S VETO MESSAGE:

The purpose of the SARC is to ensure that parents, teachers, students, and the general public have access to information about schools so that they can compare schools, and determine where children will be best served. However, over the years the SARC has encompassed so many different types of information that it can be unwieldy for average Californians to easily decipher the most relevant pieces of information presented.

While this bill moves in the right direction in attempting to streamline the SARC, instead of a piecemeal approach, I prefer that my Administration and the Legislature work with the California Department of Education and the State Board of Education to achieve a comprehensive overhaul of the SARC so that it is more user-friendly to anyone that receives it or that would want to access the information online over the Internet. Among other things that should be highlighted in the SARC, I believe Californians want a higher level of fiscal transparency, particularly information that identifies how much money is actually spent for direct classroom instruction, or for services that directly improve the academic achievement of students. Parents should be able to easily compare schools, how the funds are being used in their child's school, what services and classes are offered, the experience level of the teachers and principal and the academic results. We should also consider reformatting the display of the SARC so that the most relevant information is highlighted up front.

SB 1577 (Romero) — School Accreditation Result Notifications

Requires a school district that contains a school that has lost its accreditation to post notice of the loss and its potential consequences for students attending the school on the school district's Internet web site and to publish by web site or by parent notification the results of any accreditation findings within 60 days after the results have been provided to the school.

Status: Chapter 402

School Safety

AB 103 (Cohn) — Disaster Preparedness

Requires the State Department of Education (SDE) to electronically distribute disaster preparedness educational materials to school districts and county offices of education. Requires the SDE to ensure the materials are available in at least the three most dominant primary languages spoken by English learners in California and to ensure that all the materials are reviewed and updated annually.

Status: Chapter 696

AB 606 (Levine) — Safe Place to Learn Act

Establishes the Safe Place to Learn Act to ensure that all school districts and schools work to reduce discrimination, harassment and violence based on specified characteristics, including but not limited to, actual or perceived gender identity and sexual orientation. Requires the State Department of Education to develop a model antidiscrimination and antiharassment policy and to post it on its Web site for school districts to use and adopt.

GOVERNOR'S VETO MESSAGE:

This bill mandates that the State Department of Education develop a "model" antidiscrimination policy that prohibits discrimination based on specified characteristics already in law. It also mandates school districts adopt this model in their district.

I have spent most of my life committed to fighting discrimination and teaching our children tolerance for all persons, irrespective of race, gender, nationality, ethnicity, religious creed, disability or sexual orientation. However well intentioned, this bill creates a new state mandate on schools at a time when our state currently owes almost half a billion dollars in unpaid mandates. Adding another unfunded state mandate to our school districts when we have not paid for existing mandates is irresponsible. The mandates still unfunded include earthquake emergency procedures, immunization programs, AIDS prevention programs, criminal background checks on school employees, removal and disposal of chemicals, administering and reporting standardized test, among others.

Additionally the California Student Safety and Violence Prevention Act of 2000 already prohibits discrimination and harassment in California Public Schools. A task force created by the Department of Education to recommend ways to implement this Act released its report to school districts in 2001. On April 30, 2004, the Department of Education's General Counsel issued a legal advisory to all county and district superintendents explaining the laws related to discrimination. According to this document, every local educational agency is required to have a policy against discrimination and harassment that applies to all the protected categories of students and a complaint procedure that enforces that policy.

It is the responsibility and obligation of the Department of Education to ensure that school districts are complying with this important law and I strongly encourage a zero tolerance for any violation of these prohibitions against discrimination and harassment in our schools.

AB 2510 (Lieu) — Drug and Alcohol Survey Revisions

Requires an existing survey of drug and alcohol use to include an assessment of pupils' experiences with harassment and bullying and requires the Attorney General to prepare and distribute a separate report focused on bias-related discrimination and harassment incidents.

GOVERNOR'S VETO MESSAGE:

No child should ever be subject to harassment or discrimination of any kind. That is why current law prohibits such behavior and requires school districts to protect children from such actions in order to maintain a safe learning environment. The California Code of Regulations establishes the Uniform Complaint Procedures, which requires local education agencies to investigate any complaints alleging failure to comply with state and federal law, including any unlawful discrimination against any protected group as those identified in this bill.

This bill adds little to the prevention of bad behavior, but merely focuses on collecting information that is generally already known by principals, teachers, parents, and law enforcement.

AB 2566 (Daucher) — Persistently Dangerous Schools

Requires schools to report information on the school accountability report card regarding the number of incidents of specified types of criminal violations that occurred at schools that have been identified as "persistently dangerous." Provides that a "persistently dangerous" school is one that, during each of three consecutive fiscal years, has met at least one of the specified criteria.

Status: Assembly Education Committee

AB 2940 (Huff) — School Security Officers

Requires school districts to bear the costs of the ongoing school security officer training that is required by the school district.

Status: Assembly Education Committee

AB 2966 (S. Runner) — Classroom Cameras

Allows school districts that have under their jurisdiction an individual with exceptional needs who is not capable of reporting abusive behavior perpetrated against him or her in the classroom, to install, in each classroom in which that pupil attends classes, fully functional and operating video cameras for the purpose of monitoring any instances of abusive behavior perpetrated against the pupil.

Status: Assembly Education Committee

Special Education

AB 2513 (Pavley) — Autism Training and Information

Requires the Superintendent of Public Instruction with input from an advisory committee to develop recommendations identifying the means by which public and nonpublic schools can better serve pupils with autism and their parents.

Status: Chapter 783

AB 2514 (S. Runner) — Special Education Procedural Safeguards

Prohibits attorney's fees from being awarded to the prevailing party for any meeting of an individualized education program team except by agreement of both parties following the hearing process. Prohibits a party to a due process hearing from refusing to enter into a settlement agreement or from only agreeing to settle based on the reimbursement of attorney's fees from another party to that hearing.

Status: Assembly Education Committee

AB 2565 (Evans) — Mediation Conferences and Due Process Hearings

Appropriates \$3.5 million from the General Fund to the State Department of Education for the 2005-2006 fiscal year to provide funding for an agreement or contract to conduct special education mediation conferences and due process hearings pursuant to existing law.

Status: Assembly Appropriations Committee

SB 267 (Romero) — California High School Exit Exam

Extends, until December 31, 2007, current provisions exempting pupils with disabilities from the requirement of passing the California High School Exit Examination (CAHSEE) as a condition of receiving a high school diploma, if they meet the required criteria.

Requires, by June 1, 2007, the Superintendent of Public Instruction to recommend to the Legislature a course of action to adopt regarding pupils with disabilities who have met all

other state and local graduation requirements, but who are unable to satisfy the CAHSEE requirement or obtain a waiver under current provisions of law.

Status: Chapter 629

SB 517 (Romero) — California High School Exit Exam

Exempts pupils with disabilities, until December 31, 2006, from the requirement of passing the California High School Exit Examination as a condition of receiving a high school diploma, if they meet the criteria outlined in the settlement agreement in the case of *Chapman v California Department of Education, et al.* (Super. Ct.; Alameda No. 2002049636). Requires school districts to report to the Superintendent of Public Instruction information regarding the number and characteristics of pupils that were granted diplomas pursuant to the process provided by this bill.

Status: Chapter 3

SB 1327 (Soto) — Average Daily Attendance Apportionments

Expands school and school district attendance reporting requirements to include all students with exceptional needs who are required to, but no longer, attend school. Specifies that the superintendent of a school district and the principal of a private school in each county shall report the severance, expulsion, exclusion, exemption, transfer, or suspension of any child who is an individual with exceptional needs as defined in federal law or a child who has a Section 504 Plan, who is required to but no longer attends school.

Status: Chapter 59

The Teaching Profession

AB 49 (Benoit) — California Basic Educational Skills Test Exemption

Consolidates statutes governing the requirements for, and authorizations of, credentials issued to prelingually deaf educators, or educators who were deaf before they could acquire language, and continues for those individuals the exemption from the requirement to pass the California Basic Educational Skills Test. Makes the issuance of a preliminary teaching or services credential by the Commission on Teacher Credentialing contingent upon the recommendation of a preliminary credential preparation program sponsor.

Status: Chapter 147

AB 937 (Wyland) — Science Resource Teachers

Allows the governing board of a school district to designate a credentialed science teacher to act as a science resource teacher or to provide science staff development for each elementary school.

Status: Chapter 549

AB 950 (Pavley) — Teacher Credentialing: Criminal Record Summaries

Requires county offices of education (COE) to send fingerprints to the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), receive reports of

convictions of serious and violent felonies, review criminal history records and reports of subsequent arrests from the DOJ and the FBI, and maintain common lists of persons

eligible for employment. Requires COE to perform these functions for applicants for credentials and credential renewals and forward information to the Commission on Teacher Credentialing.

Status: Senate Appropriations Committee

AB 1836 (Daucher) — Math, Science and Engineering Professional Teacher Pilot Programs

Establishes the Math, Science and Engineering Professional Teacher Pilot Programs to recruit professionals in any of the fields of math, science, and engineering to serve as professional teachers in high schools or regional occupational centers under the supervision of a "teacher of record," or current high school math or science teacher.

Status: Assembly Appropriations Committee

AB 1857 (Daucher) — Teacher Credentialing: Internship Programs

Modifies the requirements for teaching foundation assessments for individuals choosing the early completion option of an intern program by deleting specified content areas for the single subject written pedagogy examination. Establishes training requirements for single subject credential interns in early completion intern programs relating to pre-service and preparation to teach English learners. Requires the mandatory pre-service training to be aligned to the state content standards and to be at least as rigorous as the pre-service training completed by interns who are not participating in the early completion option.

GOVERNOR'S VETO MESSAGE:

My administration is committed to ensuring that a fully qualified and effective teacher is teaching in every classroom. In addition to the traditional teacher preparation programs, I support alternative credentialing routes, such as the district internship program, which are vital to ensuring the supply of teachers is sufficient to meet the state's demand.

While I applaud the bill's goal of removing barriers to individuals pursuing credentials through the district intern Early Completion option, this bill would make this option more cumbersome on those seeking credentials in English and mathematics. This is counter to my efforts to streamline the credentialing process.

Furthermore, this bill is premature. The 2006 Budget Act provides \$1.0 million for a comprehensive examination of the state's intern and induction programs. Until this evaluation is complete and the recommendations have been reviewed, it is premature to make changes to the existing intern program.

AB 1867 (Karnette) — Cardiopulmonary Resuscitation Training

Requires a school district to make basic first aid and cardiopulmonary resuscitation training available to all employees of the district and requires, commencing on July 1, 2008, and that not less than 80 percent of the staff employed during regular school hours have completed certification in CPR.

Status: Assembly Appropriations Committee

AB 1985 (Daucher) — Online Classroom Program

Establishes the Online Classroom Program by removing “Pilot” from the Online Classroom Pilot Program title, thereby making it a general program. Requires that a teacher of an online course under the program be a highly qualified teacher, as defined by the federal No Child Left Behind Act of 2001, unless the teacher is concurrently teaching the same course to pupils in a traditional in-classroom setting, eliminates restrictions on the number of school sites and percentage of pupils that are permitted to participate in the program, eliminates the requirement that the Superintendent convene a working group to assess the program, and eliminates the requirement that the Controller review the program.

Status: Senate Appropriations Committee

AB 2054 (S. Horton) — Language Examination of Subject Matter Knowledge

Requires the Commission on Teacher Credentialing (CTC), by June 30, 2007, to develop a language examination template for the purpose of determining teachers' adequacy of subject matter knowledge of a language for which there is no subject matter examination adopted by the CTC. Gives priority to the Filipino language for specific examination development, followed by Hmong, Cantonese, Armenian, Khmer, Arabic, and Farsi languages, in that order, although test development may occur simultaneously.

GOVERNOR'S VETO MESSAGE:

This bill is unnecessary since the language in this bill regarding development of a language examination template is virtually identical to the language in the *2006 Budget Act* that appropriates \$75,000 for this purpose.

AB 2109 (Goldberg) — Professional Development Programs

This bill requires school districts to analyze disaggregated student testing data and structure professional development programs to focus on improving the academic achievement of pupils in order to receive funding from the state's Professional Development Block Grant.

GOVERNOR'S VETO MESSAGE:

Investing in the professional development of our teachers and school principals is very important to the academic success of our students.

Using data to evaluate how to most effectively use these resources is valuable and best done at the school district level by teachers and principals. What is effective for one school or district may not be for another.

It is unclear how this bill will impact existing practice or provide an incentive for districts to improve their current practices. Effective school districts already analyze test results using the data as a tool to better target efforts and resources to improve academic performance, particularly those resources and directly impact student achievement and instructional delivery. Furthermore, it is questionable if the data analysis required in the bill is an appropriate method of determining professional development for teachers. Districts may also wish to consider other factors such as teacher credential and experience information in determining the appropriate level, amount, and type of professional development for its teachers.

Considering the bill does not require districts to implement model strategies to better analyze disaggregated data or impose consequences for those not targeting funds to achieve significant improvement, this directive will not achieve its intended goal.

AB 2421 (Wyland) — Vocational Teacher Credentialing

Eliminates the requirement that a vocational education teacher have a baccalaureate degree in order to receive an emergency teaching or specialist permit for vocational education instruction.

Status: Assembly Education Committee

AB 2423 (Wyland) — Science Instruction

Allows the governing board of a school district to designate a credentialed science teacher to act as a science resource teacher or to provide science staff development for each elementary school.

GOVERNOR'S VETO MESSAGE:

Although meritorious in its intent to provide targeted science instruction in the elementary schools, this bill is unnecessary. Nothing in current law precludes school districts from designating a teacher as a science coach, or from providing staff development in science instruction at the local level.

Furthermore, this bill prohibits a district from using funds other than staff development funds for these purposes. This provision would restrict districts' budgetary flexibility and prevent them from using other fund sources to support designated science coaches or provide this type of targeted professional development. It appears that this provision actually runs counter to the bill's purported intent.

AB 2802 (Pavley) — Optional Early Childhood Education Credential

Requires the Commission on Teacher Credentialing to establish an optional early childhood education credential for K-2 teachers, consisting of 24 units of early learning training that is incorporated into the multiple subject teaching credential.

GOVERNOR'S VETO MESSAGE:

The bill establishes an optional early childhood education (ECE) credential for grades K-2 to be incorporated into the multiple subjects teaching credential. Such a credential would merely show that the multiple subjects credential holder has completed a program emphasis on ECE. This information can be shared in the application and interview process. Adding another credential only complicates a credentialing process already in need of streamlining.

AB 2913 (Frommer) — Armenian Language Subject Matter Examinations

Requires the Commission on Teacher Credentialing to submit a development and expenditure plan for a subject matter examination in the Armenian language to the Department of Finance no later than January 1, 2007. Requires the Commission to use a template developed pursuant to the *Budget Act of 2006* to create the examination, which is to be administered no later than September 1, 2009.

GOVERNOR'S VETO MESSAGE:

There is no need for the Commission on Teacher Credentialing (CTC) to develop an expenditure plan for the development of an Armenian foreign language subject matter exam, since the *2006 Budget Act* provides specific funds for the development of an examination template and prioritizes the languages for test development. Nothing precludes the CTC from developing assessments simultaneously, but this bill circumvents the currently established prioritization.

AB 2970 (Pavley) — Teacher Retention and Recruitment Act of 2006

Establishes the Teacher Recruitment and Retention Act of 2006. Extends and expands eligibility for retired members of the California State Teachers' Retirement System's Defined Benefit Program to obtain exemptions to the post-retirement earnings limitation which are not addressed in this analysis.

Status: Assembly Appropriations Committee

AB 3044 (Mountjoy) — Teacher Credentialing Specialist Instruction

Provides that specialist instruction teaching credentials be given to applicants with academic specialties, including, but not limited to, reading, mathematics, special

education, early childhood education, and any other specialties determined by the Commission on Teacher Credentialing.

Status: Assembly Education Committee

SB 472 (Alquist) — Math and Reading Professional Development Program (MRPDP)

Authorizes schools to claim incentive funding under MRPDP for 40 hours of training based on state adopted content standards and standards aligned instructional materials. Requires a special emphasis on English language learners and pupils with exceptional needs, including special training and instruction strategies for the English Language Development components of the State Board of Education adopted programs.

Status: Chapter 524

SB 933 (Machado) — Pilot Teacher Training Program

Requires the Commission on Teacher Credentialing (CTC), until January 1, 2010, to participate in a pilot program which may include San Joaquin County Office of Education and up to five other school districts or consortia as approved by the CTC, to provide teacher preparation programs for teachers of pupils with disabilities in special education classes. Requires, on or before January 1, 2009, the CTC to prepare and submit a report to the Legislature on the effectiveness of the pilot program.

Status: Chapter 304

SB 1124 (Torlakson) –Teacher Development: Recruitment, Training, and Retention

Authorizes several initiatives to improve the recruitment, training and retention of teachers in California's schools. Specifically, the bill defrays fees associated with the National Board for Professional Teaching Standards certification; expands California Basic Educational Skills Test (CBEST) exemptions to those who have taken and passed the test at least once or who received a teaching credential prior to the establishment of the CBEST; establishes the California Teacher Cadet Program; establishes the Competitive Grant Program for Partnership Schools and Institutions of Higher Education Program so K-12 schools and colleges and universities may collaborate in order to create and implement professional development schools for teacher education. Note: Although this bill was held in the Assembly Appropriations Committee, the contents of the bill were later amended into SB 842. SB 842 was never re-referred to this committee and was subsequently vetoed.

Status: Assembly Appropriations Committee

SB 1142 (Alquist) — Professional Development for Science Teachers

Establishes the Science Teacher Development Act to provide professional development training in science instruction based on content standards adopted by the State Board of Education. This training must include instructional strategies to teach essential content in ways that address the varied learning needs of pupils, with special emphasis on English language learners and pupils with disabilities.

GOVERNOR'S VETO MESSAGE:

I applaud the author's efforts to establish a science-specific program of professional development for teachers. The costs associated with this bill are in excess of \$415 million that were not approved by the Legislature in this year's State Budget Act. Absent the funding available in the Budget, this bill would likely create pressure to reduce the funding provided for the Mathematics and Reading Professional Development Program to be redirected to this program. It is vital that we do not redirect resources from focusing on providing professional development that is targeted to math and reading, the cornerstones of a solid educational foundation.

I support the professional development of science teachers in California classrooms, but would like to have the Legislature work with the Administration and all interested parties when prioritizing funding for inclusion in the final State Budget before I can sign a measure like this.

SB 1185 (G. Runner) — School Employees: Compulsory Leave of Absence Compensation

Authorizes a school district to prohibit a school employee who is placed on a compulsory leave of absence for certain drug-related offenses and completes a drug diversion program from being compensated for that leave of absence.

Status: Assembly Floor

SB 1190 (Alquist) — Science Teacher Professional Development

Establishes the Science Teacher Development Act program to provide professional development training in science instruction based on content standards adopted by the State Board of Education; this training shall include instructional strategies to teach essential content in ways that address the varied learning needs of pupils, with special emphasis on English language learners and pupils with disabilities.

Status: Assembly Appropriations Committee

SB 1209 (Scott) — Teachers: Teacher Credentialing; Out-of-State Teachers; Professional Growth Programs; Teacher Compensation

Streamlines preliminary credential requirements for new teachers who have completed state-adopted credentialing requirements in another state so that the requirements are consistent with the federal No Child Left Behind "highly qualified teacher" requirements. Consolidates testing requirements for teacher credential candidates. Provides incentives to strengthen the preparation of teacher interns and encourage experienced teachers to teach and mentor new teachers in high priority schools, among other revisions of existing statutes related to teacher credentialing.

Status: Chapter 517

SB 1292 (Scott) — Teachers: Limited English Proficient Pupils

Authorizes a teacher with a designated subjects teaching credential or a service credential with a special class authorization to be assigned to provide specially designed content instruction delivered in English to English learners if the teacher completes, or is enrolled

in, a specified course of staff development for at least 45 clock hours.

Status: Chapter 752

SB 1385 (Vincent) — School Employees Termination

Extends the authority of the Los Angeles County Office of Education to retain the certificated employees of a juvenile camp program until the effective date of the closure or reduction in services of the program to include staff reductions initiated during the 2006-07 or 2007-08 school years.

Status: Chapter 65

SB 1433 (Torlakson) — California Teacher Leadership Pilot Program

Establishes the California Teacher Leadership Pilot Program to provide funding to local educational agencies for purposes of training experienced teachers to become instructional coaches in an effort to support local schoolwide improvement programs by building capacity for professional development.

Status: Assembly Appropriations Committee

SB 1437 (Kuehl) — Prohibition of Adverse Instruction Based on Gender or Sexual Orientation

Prohibits any teacher from giving instruction that reflects adversely on persons because of their gender or sexual orientation; prohibits the State Board of Education and any governing board of any school district from adopting instructional materials that reflect adversely on persons because of their gender or sexual orientation, as defined.

GOVERNOR'S VETO MESSAGE:

No teacher or textbook in our schools should ever intentionally demean or disparage any group in our society, including discrimination based on sexual orientation.

I am vetoing Senate Bill 1437 because this bill attempts to offer vague protection when current law already provides clear protection against discrimination in our schools based on sexual orientation.

Education Code section 200 referring to Penal Code section 422.55 governing hate crimes, provides that it is the policy of the State of California to afford all persons in the public schools, equal rights and opportunities in our state educational institutions, regardless of their sex, ethnic group, race, national origin, religion, disability and sexual orientation.

Education Code section 220 expands the protection of section 200, prohibiting such discrimination in any program or activity conducted by an educational institution. In addition, Education Code section 60045, subdivision (a), provides that all instructional materials shall be accurate,

objective, and current and suited to the needs and comprehension of pupils at their respective grade levels.

This protection specifically covers school programs, activities, instruction and instructional materials. I and this administration are firmly committed to the vigorous enforcement of these protections.

SB 1437 deals exclusively with Education Code sections 51500, 51501, and 60044, prohibiting instruction, materials and activities that reflect adversely on persons. Not only is this term extremely vague, and potentially confusing, but I am not aware of any published case brought under these code sections in which individuals within the protected classes have successfully protected their rights under these statutes. But courts have confirmed that individuals in the protected classes can state a legal claim for violation of education Code section 200 and 220.

Therefore, since the Education Code already specifically protects against discrimination to groups based on their sexual orientation and includes programs, instructions and instructional materials. I am vetoing this bill because the vagueness of the term reflects adversely would not strengthen this important area of legal protection from bias based on sexual orientation.

SB 1533 (Scott) — Paraprofessional Teachers

Makes various administrative changes to the California Paraprofessional Teacher Training Program, authorizes exceptions to program repayment requirements, and makes an independent program evaluation contingent on funds appropriated in the Budget Act of 2008.

GOVERNOR'S VETO MESSAGE:

The California School Paraprofessional Teacher Training Program serves as a valuable teacher pipeline to bring qualified and committed teachers into our classrooms. However, there does appear to be a need to make some programmatic changes in order to ensure that the program is both effective and efficient and results in the highest possible number of participating teachers receiving their teaching credential.

To that end, I find many of the changes proposed in this bill to be meritorious. However, this bill's specific language leaves too much discretion to the districts and the Commission on Teacher Credentialing which could drive cost pressures and may increase the incidence of non-completers. Further, this bill's changes to the participant selection process, while moving in the right direction, do not go far enough to ensure the highest rate of completion.

Therefore, I am unable to sign this bill, but my Administration will work with the author next year on a bill that would address these concerns and bring about the needed programmatic changes to ensure the continued success of this valuable teacher pipeline.

SB 1614 (Simitian) — Teacher Data System

Requires the development of a teacher data system to serve as a central state repository of information on the teacher workforce to inform policy, identify trends, and identify future teacher workforce needs.

Status: Chapter 840

SB 1655 (Scott) — Voluntary Transfers

Prohibits the voluntary transfer of a teacher to a school ranked in deciles 1 through 3 on the Academic Performance Index, if the principal of the receiving school refuses to accept the transfer. Prohibits a school district from giving priority over other qualified applicants to a teacher who requests to be transferred after April 15 prior to the year that the transfer would be effective.

Status: Chapter 518

SB 1824 (Migden) — California Preliminary (CAP) Credential

Re-establishes the CAP Credential until July 1, 2011. Specifically, the bill requires the Commission on Teacher Credentialing to issue a two-year credential to any person recommended by the governing board of a school district who displays knowledge and expertise in math or science. The original CAP credential sunset January 1, 2005.

Status: Assembly Appropriations Committee

Transportation

AB 1786 (Bermudez) — Home-to-School Transportation

Requires the Superintendent of Public Instruction to examine home-to-school transportation (HTST) funding formulas and determine how current formulas should be modified to allow school districts and county offices of education to initiate new transportation programs and receive state funding on a basis that is equitable to all participants in the HTST formula.

Status: Assembly Appropriations Committee

AB 1944 (Berg) — Small School District Bus Replacement Program

Establishes new priorities for apportionments for reconditioning or replacing school buses under the Small School District Bus Replacement Program. In addition to the two priorities in existing law, establishes that third priority for apportionments be the purchase of new school buses to replace existing ones owned by a school district or county office of education that were manufactured prior to January 1, 1987 and fourth priority for apportionments be the reconditioning of school buses owned by a school district or county office of education that were manufactured prior to January 1, 1987.

Status: Senate Appropriations Committee

AB 2350 (Maze) — Character Education Specialized License Plates

Requires the design and issuance of a character education specialized license plate. Requires the license plate to bear a design that promotes values and principles of morality, truth, justice, patriotism, and a true comprehension of the rights, duties, and dignity of American citizenship, the meaning of equality and human dignity. Requires the Department of Motor Vehicles, in consultation with the State Department of Education, to allocate the funds generated to school districts within each county in which plates are reported to have been sold, and requires the receiving district to expend those funds on education programs that are consistent with promoting the principles outlined above.

Status: Assembly Appropriations Committee

Other Legislation

AB 680 (Chan) — School Notification of Parents of English Learners

Requires the State Department of Education (SDE) to monitor adherence of public schools and school districts to regulations requiring the provision to parents of school notices and documents in primary languages other than English by means of the Categorical Program Monitoring process, and to determine the types of documents a school district must translate into a primary language other than English. Requires the SDE to notify by August 1 of each year the schools within the school district and the primary language other than English for which translation of documents is required.

Status: Chapter 706

AB 1967 (Committee on Education) — Education Code Corrections

Corrects technical errors and oversights, and makes numerous non-controversial and conforming changes to various provisions of the Education Code and budget items.

Status: Chapter 730

AB 1988 (Coto) — Assembly Education Committee English Learners Working Group

Implements several recommendations of the Assembly Education Committee's English learner working group. Among the various recommendations, the bill:

- 1) Requires, on or before September 1, 2008 the Commission on Teacher Credentialing (CTC) to develop a ten-hour English language learner (ELL) professional development module and requires CTC to require successful completion of the module for issuance of a preliminary teaching credential.
- 2) Requires, on or before June 30, 2007, SDE to revise level one of the annual measurement objectives to enhance its utility in demonstrating pupil growth on the California English Language Development Test (CELDT).

- 3) Requires, on or before September 1, 2008, the State Board of Education (SBE) in consultation with SDE to adopt language arts and reading textbooks for kindergarten and grades one to eight designed to enhance skills in English language development simultaneously with English language arts.

Status: Assembly Appropriations Committee

AB 2024 (Benoit) — Personal Services Contracting: School and Community College Districts

Repeals provisions in current law permitting the use of personal services contracts to save money in school districts and community colleges for all services currently or customarily performed by classified school employees.

Status: Assembly Public Employees, Retirement, and Social Security Committee

AB 2312 (Strickland) — Pupil Transfer Policy: Interscholastic Athletics and Activities

Prohibits school districts, associations or consortia of school districts, the California Interscholastic Federation, voluntary associations, or any other entity that governs interscholastic athletics or activities from preventing a pupil who transfers to a school from participating in interscholastic athletics or activities at that school.

Status: Assembly Education Committee

AB 2370 (La Suer) — Pupils: Work Permits

Requires a minor who has a work permit or is 18 years of age, who is otherwise required by law to attend school and is prohibited from being out of school and unemployed for a period longer than 10 consecutive days while the school is in session, to enroll and attend school.

Status: Assembly Education Committee

AB 2445 (Salinas) — State Seal of Biliteracy

Establishes the State Seal of Biliteracy to be developed and affixed to the high school diploma of any student who demonstrates a mastery of reading, speaking, and writing skills in two or more languages.

GOVERNOR'S VETO MESSAGE:

While I recognize the importance of learning a foreign language, this bill would create a "State" Seal of Biliteracy for which there would be no uniform, statewide standards to determine if a student had earned this recognition. Without uniform, consistent standards, employers and college admission counselors in search of qualified candidates would not be able to rely on the State Seal as a valid indicator of bilingual proficiency.

Instead, standards of achievement would be set locally and would vary from district to district. As a result, the "State" Seal would not signify anything substantial. Local districts that would like to offer their students

a seal of recognition based on their own standards may do so under current law without this bill.

AB 2489 (Leno) — Foster Youth Higher Education Preparation and Support Act of 2006

Enacts the "Foster Youth Higher Education Preparation and Support Act of 2006," which includes matching funds for federal grants, enhanced education services in K-12 districts, student aid initiatives to close fee grant gaps in public higher education, and student housing priority at public colleges and universities.

Status: Senate Appropriations Committee

AB 2665 (Goldberg) — American Indian Education Commission

Establishes the California American Indian Education Commission in order to consider all phases of American Indian education. Requires the commission to be comprised of 13 members and authorizes the commission to establish procedures that provide for culturally relevant educational materials to be recognized by the state and included in the classroom curricula and submit an annual American Indian education status report to all California tribes, state funded American Indian Education Centers, and the Legislature.

Status: Senate Appropriations Committee

AB 2671 (Salinas) — Student Membership on a Precinct Board

Deletes the requirement that a student must, in addition to meeting other age, citizenship, and academic criteria, be a senior to be eligible to serve as a member of a precinct board.

Status: Chapter 576

AB 2809 (Houston) — Pupil Discipline

Provides that a school district is not required to expend district funds for services provided to a pupil as alternatives to suspension or expulsion. Makes changes to the existing process of determining suspension or expulsion of a pupil.

Status: Assembly Education Committee

AB 2871 (Huff) — Inspection and Reproduction of Pupil Records

Changes from five calendar days to five business days the time frame provided for a parent of a currently enrolled or former pupil to receive requested copies of his or her pupil's school records. Requires that these records are received by the parent before any meeting, hearing, or resolution session regarding an individualized education program for the pupil.

Status: Chapter 583

ACR 98 (S. Horton) — World Languages and Cultures Month

Proclaims May 2006 as World Languages and Cultures Month and encourages all educational communities within California to celebrate languages and cultures with meaningful student programs and activities.

Status: Resolution Chapter 33

SB 1193 (Bowen) — Attendance Credit for Student Poll Workers

Deems a pupil serving as a member of a precinct board for an election to be participating in independent studies for purposes of calculating average daily attendance and thus allowing the school district to generate state apportionment payments for the pupil's participation in the election process while away from school.

GOVERNOR'S VETO MESSAGE:

I vetoed a substantively similar bill in 2004. This bill would allow schools to receive funding for time when students are volunteering as an elections precinct board member. While civic and other volunteer activities can offer many educational opportunities to students, these activities should be in addition to, and not in place of, valuable classroom learning time with a teacher.

SB 1293 (Kuehl) — Online Libraries

Requires the State Librarian to establish the Electronic Information Access Service to collectively purchase access to electronic journals and other online resources on behalf of the Resources Agency, the California Environmental Protection Agency, and the California Health and Human Services Agency.

Status: Assembly Appropriations Committee

SB 1303 (G. Runner) — Concurrent Enrollment

Exempts a pupil recommended by his or her principal from the 5% cap on community college summer session enrollment if the pupil meets one of the specified criteria and if the high school principal who recommends the pupil provides the Chancellor of the California Community Colleges, upon request of that office, with the data it is required to report to the Department of Finance.

Status: Chapter 648

SB 1526 (Alarcón) — Comprehensive Pupil Support Program

Removes the dropout prevention and recovery programs from the Pupil Retention Block Grant and establishes the Comprehensive Pupil Support Program. Requires specified core elements be included in the program, including giving local communities flexibility in using categorical funds to comprehensively address the needs of all pupils.

Status: Assembly Appropriations Committee

SB 1678 (Soto) — Early Intervention Home Visit Program

Amends the Nell Soto Parent/Teacher Involvement Program by adding California high school exit examination (CAHSEE) home visits for pupils who have failed the CAHSEE in tenth grade.

Status: Assembly Appropriations Committee

SB 1710 (Ackerman) — Education: California American Indian Education Center Program

Makes several changes to the California American Indian Education Center Program, implementing recommendations from a recent audit of this program. Extends the sunset on the program by five years to January 1, 2012. Audit recommendations this bill implements include:

- 1) Requires the State Department of Education's (SDE) American Indian Education Unit to develop clear, consistent and effective operating policies and procedures that include measures to ensure that the learning needs of American Indian pupils are being adequately addressed and requires the SDE to ensure that staff are properly trained in the application of the policies;
- 2) Requires the SDE to specify the data that is to be reported annually, create a standardized format for reporting and the consequences for failing to submit the data; and,
- 3) Requires the SDE to adopt policies that assure an equitable process to select American Indian Education Centers (AIECs) and to determine their funding amounts; conduct an evaluation of the AIECs in order to determine whether to renew existing AIEC applications or approve new applications; incorporate culturally responsive methodologies in order to ensure that an optimal educational program for American Indian pupils is supported and maintained; and ensure respect for the federal trust and sovereign nation status of California American Indian tribes.
- 4) Also requires the Superintendent of Public Instruction (SPI) to appoint an American Indian Education Oversight Committee, composed of at least seven educators, four of which shall be AIEC directors, by January 30, 2007, the purpose of which is to provide input and advice to the SPI on American Indian Education programs.

Status: Chapter 880

SB 1731 (Speier) — School Counselors

Appropriates \$36.4 million from the General Fund in the 2006-07 fiscal year, to the State Department of Education (SDE) to provide one credentialed guidance counselor for each middle, junior high and high school in deciles 1-3 on the Academic Performance Index.

Status: Assembly Appropriations Committee

SB 1740 (Murray) — Internet Safety Curriculum Guidelines

Requires the State Department of Education (SDE) to develop and maintain Internet safety curriculum guidelines for use by local educational agencies.

GOVERNOR'S VETO MESSAGE:

I believe that Internet safety is important, which is why I signed AB 307 (Chavez, 2006) into law, which requires the Superintendent of Public Instruction, by July 1, 2007, to develop guidelines for information regarding the safe use of the Internet that should be included in a school districts education technology plan. Unfortunately, this bill circumvents

the role of the State Board of Education (SBE) by giving the authority for the development and dissemination of curriculum to the California Department of Education without the approval of the SBE.

The Department of Consumer Affairs (DCA) has already convened the California Coalition for Children's Internet Safety (CCCIS) and will host the first statewide Cyber Safety Summit in October. The Summit will address the dangers our children face in cyberspace and provide the necessary training and resources to keep them safe. The Summit is intended to target, among others, parents/PTA organizations, educators, community leaders, and child safety advocates. Prior to developing any state wide guidelines, we should first take the information presented at the Summit and review recommendations from the CCCIS to ensure that any approach to Internet safety is comprehensive and addresses the individual needs of local education agencies. I believe this is a proactive, direct approach to address Internet safety.

SB 1777 (Alarcón) — Juvenile Court School

Provides supplemental funding to county offices of education and school districts that provide educational services to foster children through a juvenile court school.

Status: Assembly Appropriations Committee

SB 1814 (Torlakson) — CEQA: Schools

Authorizes, under the California Environmental Quality Act (CEQA), a master environmental impact report (MEIR) to be prepared for a plan for school projects undertaken by a school district that complies with certain school facilities requirements.

Status: Chapter 882

SB 1819 (Figueroa) — Cost Assistance for GED Test

Establishes the Cost Assistance for General Education Development (GED) Test Takers program for grants to students enrolled in GED preparation coursework.

Status: Assembly Appropriations Committee

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