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ASSEMBLY COMMITTEE ON EDUCATION

2008 K-12 EDUCATION LEGISLATION

ADULT EDUCATION

AB 415 (Karnette) – Adult education: funding

Requires adult education programs to provide an opportunity for high school seniors who do not pass the California High School Exit Examination (CAHSEE) to enroll in adult education programs, and removes the adult education average daily attendance limit for adult education programs in elementary and secondary basic skills to enable adult students to pass the CAHSEE and earn a diploma. The June 9, 2008 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Chapter 186

AB 1163 (Krekorian) – Adult education

Authorizes school districts to claim and expend up to 15% of their adult block entitlement for approved adult education innovation and alternative instructional delivery programs if the districts have specified accountability measures in place and the applications provide specified information required by the bill. Cross references the definition of distance learning with existing statute on distance learning policy.

Status: Chapter 655

AB 2015 (De La Torre) – Adult education program collaborative

Authorizes the establishment of an adult education program collaborative and authorizes all districts within the same county or in a county contiguous to the administrative agency to participate in the adult education program collaborative.

Status: Assembly Appropriations Committee

AB 2340 (Arambula) – Adult education: English classes

Encourages school districts to schedule adult English classes on days that will maximize the participation of working adults, including Saturday and Sunday, and encourages local educational agencies that offer weekend classes to enter into a collective bargaining agreement that addresses issues relating to working on weekends.

Status: Assembly Appropriations Committee

AFTER SCHOOL PROGRAMS

AB 2843 (Karnette) – After school programs

Expands the educational enrichment component of the After School Education and Safety Program to include foreign languages and revises the term "fine arts" to "visual and performing arts."

Governor's Veto Message:

As one of the strongest proponents of After School Programs in California and being familiar with many across the state, I have never seen any of the programs denying the opportunity to provide foreign language activities in their educational enrichment component, particularly since they do not need any additional authority to do so. Therefore, providing a statutory authorization for that option is unnecessary.

SB 1674 (Torlakson) – Before and after school programs

Authorizes weekend activities in the After School Education and Safety (ASES) Program, specifies that costs associated with weekend activities shall be paid from the program's maximum grant or supplemental grant, and prohibits attendance in weekend activities to be included in the program's attendance report for the purpose of calculating grant funding. Requires an ASES program participant that contracts with another agency for some or all services to ensure that the contract includes funds for the contracting agency's reasonable indirect and administrative costs.

Governor's Veto Message:

As the primary author of Proposition 49 that created the After School Education and Safety Program (ASES) Act, I am very proud of the good work that after school providers have done in serving kids over the years. While providing students with educationally enriching activities during weekend hours is a worthy goal, this bill takes the program beyond the original scope of the ASES program. After school programs are intended to provide students with access to quality tutoring, homework assistance, and educational enrichment during non-school hours, when they are most at-risk of being involved in dangerous activities - during after school hours.

ATTENDANCE, SUSPENSIONS, AND EXPULSIONS

AB 750 (Carter) – Pupil attendance: leadership and civic engagement activities

Adds engaging in leadership or civic engagement activities, that satisfy criteria established by a Superintendent of Public Instruction (SPI) appointed workgroup, to the definition of an excused absence. Also requires the SPI to disseminate information, regarding pupil participation in leadership or civic engagement activities, via letter to all school districts.

Status: Assembly Appropriations Committee

AB 1446 (DeSaulnier) – Pupils: truancy

Upon a pupil's initial classification as a truant, requires a school district to notify a parent or guardian within 10 schooldays of a pupil's last day of being absent from school without a valid excuse or tardy or absent for more than any 30-minute period during the school day without a valid excuse.

Status: Senate Appropriations Committee

AB 2107 (Mullin) – Driver's education: provisional licenses

Restricts the issuance of a driver's license, to a person between 16 and 18 years of age, to applicants who can provide proof of current enrollment in school, proof that the applicant has earned a high school diploma or a General Education Development (GED) equivalent, a signed statement from his or her parents, legal guardian or employer that the operation of a vehicle by the applicant is necessary, or proof that the applicant is emancipated. Establishes that the DMV is not required to certify or verify the authenticity of any of the documents provided by the applicant.

Status: Assembly Appropriations Committee

AB 2396 (Carter) – Pupil attendance: civic engagement activities

Adds participating in civic engagement activities offered by a non-profit or governmental entity to the list of justifiable personal reasons for which a pupil is required, upon approval of the principal or designee, to be excused from school when absent; also limits excused absences related to a pupil's participation in civic engagement activities to no more than 10 days per academic year.

Governor's Veto Message:

While I recognize that there are many civic and other educational opportunities outside of the classroom, nothing under current law prohibits

parents from working with a school to allow their child to participate in civic opportunities if they choose to do so, even without this measure.

AB 2414 (Fuller) – Pupil attendance: school attendance review boards: driving privileges

Authorizes the School Attendance Review Board (SARB) of any school district or county to recommend the suspension of the driving privileges of individuals under 18 who have not graduated from high school and have not attended school for 15 consecutive days or 20 total days in one semester or has been deemed a habitual truant, and to recommend the reinstatement of suspended licenses when specified conditions are met; allows the parent or guardian of a pupil to appeal a recommendation to the governing board of the school district. Also requires the California Department of Motor Vehicles to carry out recommendations of the SARB.

Status: Assembly Appropriations Committee

AB 2656 (Brownley) – Pupil suspension

Requires a pupil who has been suspended from school to complete all in-class assignments, tests, and homework he or she missed or will miss during the suspension. Requires school administrators or counselors to ensure that the pupil is given all in-class assignments and homework that he or she missed or will miss during the suspension and the opportunity to take any tests that will affect his or her grade for that period.

Status: Assembly Appropriations Committee

CAREER AND TECHNICAL EDUCATION

AB 876 (Davis) – Career technical education

Requests the University of California (UC) and the California State University (CSU) to provide assistance in the development of Kindergarten through grade 12 career technical education courses for the purposes of admission to UC and CSU and to disseminate information about those courses.

Status: Chapter 650

AB 1230 (Laird) – California Career Resource Network Program

Establishes the California Career Resources Network (CalCRN), an existing independent state agency, as a program within the California Department of Education, and establishes the state agency partners committee and requires this committee to be composed of the current members of the CalCRN.

Requires the state agency partners committee to coordinate the use of network information and resources in programs that are implemented by the entities that they represent.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 2078 (Fuentes) – Work-based learning

Provides that work-based learning opportunities for pupils may be delivered through by partnership academies, regional occupational programs, and other programs, and may include work experience education, community classrooms, cooperative career technical education programs, and job shadowing, and requires school districts that choose to offer work-based learning opportunities to ensure that participating pupils are afforded the same statutory and regulatory safeguards as pupils participating in work experience programs.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 2515 (Hancock) – Regional occupational centers or programs: Apprenticeship Preparation Program

Authorizes a regional occupational center or program (ROC/P), upon approval and certification by the Superintendent of Public Instruction (SPI), to offer a Preparation for Apprenticeship Program (PA program). Requires the SPI to approve and certify an ROC/P as a PA program if the ROC/P completes all of the specified requirements. Authorizes an ROC/P to exceed its enrollment limit for pupils enrolled in grades nine to 12, inclusive, only if the memorandum of understanding entered into between an ROC/P and a local building and trades construction apprenticeship program includes an agreement by the local building and trades construction apprenticeship program to fund the instructional costs of those pupils enrolled above the enrollment limit.

Status: Assembly Appropriations Committee

AB 2648 (Bass) – Career technical education

Requires the Superintendent of Public Instruction (SPI) in conjunction with specified parties, to develop a report that explores the feasibility of establishing and expanding multiple pathway programs in California high schools, including the costs and merits associated with expansion of these programs. Defines a "multiple pathway program" for purposes of this bill. Requires the SPI to report to the Legislature as to the status of completing the report, and any preliminary recommendations by July 1, 2009 and to submit a final report to the Legislature by December 1, 2009.

Status: Chapter 681

AB 2698 (Calderon) – Career technical education: peace officer standards and training

Requires the Superintendent of Public Instruction to work with the Commission on Peace Officer Standards and Training to develop model curriculum standards for training to become a peace officer by January 1, 2010.

Status: Assembly Appropriations Committee

AB 2855 (Hancock) – Career technical education: partnership academies: green technology and goods movement

Establishes, commencing with the 2009-10 school year, the green technology partnership academies and the goods movement partnership academies as two new categories of California partnership academies and requires the Superintendent of Public Instruction, commencing in the 2009-10 school year, to prioritize partnership academy grants for programs that focus on green technology and goods movement.

Status: Chapter 685

SB 672 (Torlakson) – Pupil instruction: graduation requirements

Requires high schools participating in the California Enhanced Instructional Time Program, pursuant to Senate Bill 681 (Torlakson), of this session, to adopt a high school graduation policy that requires pupils to complete two courses in career technical education (CTE).

Status: Assembly Education Committee

SB 1248 (Wyland) – Career technical education

Requires a school district's career technical education (CTE) advisory committee to include industry sector members appointed by the governing board of the district from recommended lists provided by local industry organizations, and requires governing boards of school districts, based on the needs of the school

district, to select at least five of the specified CTE industry sectors to be represented in the committee.

Status: Assembly Appropriations Committee

CHARTER SCHOOLS, SCHOOL CHOICE AND TRANSFERS

AB 1772 (Garcia) – Charter schools: conflicts of interest

Requires charter schools to adopt and comply with a conflict of interest policy that requires its governing board members to abide by the same conflict of interest requirements as local education agency (LEA) governing board members. Requires the conflict of interest policy to include, but is not necessarily limited to, requirements that:

- 1) Members of charter school boards file statements of financial interest to the Fair Political Practices Commission;
- 2) Members of charter school boards not be financially interested in any decision made by the board;
- 3) Members of the board are disallowed from also being employees of the charter school; and,
- 4) Charter school boards abide by the Brown Act or the Bagley-Keene Open Meetings Act.

Status: Assembly Appropriations Committee

AB 1868 (Walters) – Charter schools: state-mandated local costs: reimbursement

Requires, as an urgency measure, the California Law Revision Commission (CLRC) to submit a report to the Legislature, on or before March 1, 2009, that addresses the possible consequences of adding charter schools to the list of public agencies and whether charter schools possess the characteristics of a public entity, including a discussion of the differences between charter schools operating as or by public entities or independent nonprofit or for-profit corporations.

Status: Senate Appropriations Committee

AB 2008 (Swanson) – Oakland Unified School District: approval of charter school petitions

Prohibits any chartering authority from approving a petition to establish a charter school within the geographic boundaries of the Oakland Unified School District while the State Administrator continues to exercise any powers; or, the district has an outstanding balance on the emergency apportionment.

Status: Assembly Appropriations Committee

AB 2115 (Mullin) – Charter schools: governing boards

Requires charter schools to adopt and comply with a conflict of interest policy that requires its governing board members to abide by the same conflict of interest requirements as local education agency (LEA) governing board members. Requires the conflict of interest policy to include, but is not necessarily limited to, requirements that:

- 1) Members of charter school boards file statements of financial interest to the Fair Political Practices Commission;
- 2) Members of charter school boards not be financially interested in any decision made by the board;
- 3) Members of the board are disallowed from also being employees of the charter school, but grandfathers in existing board members of charter schools who are also employees of that school until January 1, 2011; and,
- 4) Charter school boards abide by the Brown Act or the Bagley-Keene Open Meetings Act.

Governor's Veto Message:

Not only would this bill create state mandated costs for charter schools to comply with its provisions, the measure runs counter to the intent of charter schools, which were created to be free from many of the laws governing school districts.

AB 2246 (Villines) – Charter schools: joint powers agreement: funding

Authorizes, as an urgency measure, the Center for Advanced Research and Technology (CART) to receive general purpose funding through the charter school block grant for the 2005-06 and 2006-07 fiscal years and requires the Superintendent of Public Instruction, commencing in the 2008-09 fiscal year, to calculate a new funding formula for pupils concurrently enrolled at CART and regular secondary school classes, pursuant to a joint powers agreement. Sunsets these provisions on July 1, 2012.

Status: Chapter 762

AB 2305 (Karnette) – Charter schools: statewide assessments

Requires a charter school that administers its own pupil assessments to notify the Superintendent of Public Instruction, and specifies the process for a charter school to change that decision by a specified date.

Governor's Veto Message:

This bill is another attempt to curtail the work of charter schools in serving California students and families. It creates another unnecessary, prescriptive, and bureaucratic process for determining whether a charter school or the chartering authority will be administering the statewide pupil assessments. While charter schools generally operate independently from the existing school district structure, current law specifically requires charter schools to have these assessments administered. This bill serves only to impose additional administrative requirements on charter schools.

AB 2739 (Nakanishi) – Pupils: interdistrict transfers

Authorizes students who score at the below basic or far below basic level on statewide tests in an academic subject for two consecutive years to transfer to another a school district if the receiving district approves the transfer; and, sunsets these provisions on July 1, 2014.

Status: Assembly Education Committee

ACR 115 (Anderson) – Home schooling

Denounces the opinion of the California Court of Appeal for the Second Appellate District in Los Angeles in the case of *In re Rachel L.* as being overly broad and poorly reasoned; and, calls upon California courts to acknowledge the right of parents to teach their children at home, apart from any public school program, and without a teaching credential.

Status: Assembly Education Committee

SB 1207 (Scott) – Public schools: open enrollment policies

Clarifies that school districts shall calculate the capacity of a school in a non-arbitrary manner based on student enrollment and available space; and, aligns existing state law with federal law regarding open enrollment transportation policies.

Status: Chapter 113

SB 1372 (Wyland) – Charter schools: facilities in adjacent counties

Deems a resource center, meeting space, or other satellite facility, established by January 1, 2008 by a nonclassroom-based charter school in the county in which the charter school is authorized, to be in compliance with the provisions authorizing the establishment of such a facility in an adjacent county, including the provision which requires the majority of the pupils served by the

nonclassroom-based charter to be residents of the county in which the school is authorized.

Status: Assembly Education Committee

DISTRICT AND SCHOOL GOVERNANCE AND ADMINISTRATION

AB 179 (De Leon) – School finance: Standardized Account Code Structure modification: task force

Requires the Superintendent of Public Instruction (SPI) to develop a plan to modify current school district-level financial reporting processes, including the Standardized Account Code Structure, so as to allow for the collection and reporting of school-level financial data, and to convene a task force with specified membership to examine the feasibility, objectives and costs of implementing these modified processes. Also requires the SPI to submit the plan, along with the findings and recommendations of the task force, to the Legislature by June 30, 2009.

Status: Assembly Education Committee

AB 1567 (Garrick) – School districts: budgets: retired employee benefits

Requires each school district that provides retired employee health and welfare benefits other than pensions to develop a long-term plan, based on its GASB 45 actuarial statement, that identifies the manner in which the district will fund those benefits for current and future retired employees, and to include that plan in actions related to the development and review of the district's annual budget. Requires each county superintendent of schools to determine whether the adopted budget includes the amount of funding necessary to fully fund the long-term plan of the district for funding retired employee health and welfare benefits for that fiscal year; also requires the county superintendent to determine, if the adopted budget does not include the amount of funding necessary to fully fund this liability, the amount of additional funding that would be needed to fully fund the long-term plan of the district for funding retired employee health and welfare benefits for that fiscal year, and the present value of future retired employee health and welfare benefits that employees earned for services rendered during the current fiscal year.

Status: Assembly Education Committee

AB 1865 (Smyth) – School districts: reorganization of large districts

Requires the reorganization, by July 1, 2012, of any unified school district having annual enrollment on January 1, 2009 greater than 500,000 students into several school districts such that each new district may have an enrollment of no more than 50,000 pupils. Also requires a school district subject to this reorganization to establish a reorganization commission, as specified, authorizes the commission to develop a reorganization plan, prohibits an increase in administrative costs as a percentage of total funding for each new school district, and authorizes a pupil from a school district thus reorganized to attend a school in any of the new school districts if there is space available in the school.

Status: Assembly Education Committee

AB 2167 (De Leon) – Public school employees: personnel records

Expands the rights given to a local education agency employee with respect to their review and response to frivolous items placed in the employee's personnel record, by prohibiting any false and unsubstantiated (meaning untrue, derogatory, based on hearsay or opinion, without merit, or for the sole purpose of harassment) statement or document from being placed in the personnel record of any local education agency employee. Also allows the employee to challenge, through the local education agency (LEA) grievance procedure established by a collective bargaining agreement, and have removed from that record, any statement or document that is deemed to be false and unsubstantiated, and requires information that is false and unsubstantiated, and is contained in any evaluation of a LEA employee, to be struck from the evaluation before that evaluation becomes part of the employee's personnel record. Records relating to the investigation of a possible criminal offense, letters of reference, or ratings, reports or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination are exempted from the provisions of this bill.

Governor's Veto Message:

Current law already provides adequate protection for school employees to review the contents and provide rebuttal to documents in their personnel file. Enacting this bill could result in hindering the reasonable process of school management personnel to fairly evaluate and discipline employees.

AB 2243 (Carter) – School district reorganization

Creates an urgency statute that streamlines the process for specified school district reorganizations by authorizing the county committee on school district

organization to approve petitions to create one or more new school districts, where the governing boards of the affected school districts consent to the petition, where the county superintendent of schools with jurisdiction over the affected school districts grants approval to the county committee and the county committee chooses to accept that authority, and where the county committee enters into an agreement to share the costs of complying with the requirements of CEQA on behalf of any or all affected school districts (eligible petitions). Also clarifies the designation of the lead agency for purposes of the California Environmental Quality Act (CEQA) for each eligible petition, including those petitions where the project is determined to be exempt from CEQA.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 2274 (Krekorian) – School districts: administrator assessment

Requires the Superintendent of Public Instruction to adopt and implement a plan to measure the quality of administrators in public schools. The plan would include evaluations by teachers of the administrators' performances in ensuring high standards for pupil learning. After completion of the plan, the bill will prohibit school districts from staffing schools in deciles 1 to 3, inclusive, with low-performing administrators. Requires the Superintendent of Public Instruction to allocate funds from the Administrator Training Program to the lowest performing administrators.

Status: Assembly Education Committee

AB 2282 (Carter) – Education finance: apportionment of state aid to county superintendents of schools

Incorporates elements of a memorandum of understanding (MOU) between the County of San Bernardino (CSB) and the San Bernardino County Office of Education (SBCOE), establishing fiscal independence for SBCOE by deeming the annual funding payments provided to SBCOE by CSB under the MOU to be part of SBCOE's total revenue limit for the 2009-10 fiscal year for purposes of calculating SBCOE's apportionments in 2009-10 and subsequent fiscal years. Also requires that the amount deemed to be part of SBCOE's base funding level be subject to any cost of living adjustments applied to county office of education apportionments.

Status: Assembly Appropriations Committee

SB 315 (Cogdill) – Food facilities: permit fees

Allows, notwithstanding the prohibition of inter-agency fees elsewhere in law, a local health agency, providing an inspection and issuing a permit to a food facility under the Uniform Retail Food Facilities Law, to require a school district that operates a food facility to pay a permit fee. Also limits the amount of such fee to actual costs of the inspection or five hundred dollars, whichever is less, and allows the fee to be paid with federal child nutrition funds, to the extent authorized by federal law. The April 8, 2008 amendments changed the author to Senator Harman, deleted the contents of this bill, and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Assembly Public Safety Committee

EARLY CHILDHOOD EDUCATION / KINDERGARTEN

AB 683 (Runner) – Pupil admission: kindergarten and first grade

Moves up the date by three months, from December 2nd to September 1st, by which a child must be five years old to enroll in kindergarten and six years old to enroll in first grade.

Status: Assembly Education Committee

AB 1236 (Mullin) – Kindergarten year 1 and kindergarten year 2 pilot program

Establishes a two-year kindergarten pilot program in six districts. Specifies that kindergarten year 1 shall be a "transitional" kindergarten program which prioritizes enrollment of children who turn five years old between September 1 and December 2.

Status: Assembly Appropriations Committee

AB 1279 (Coto) – Child care: child development contractors: reserve funds

Revises the amount of reserve funds Alternative Payment Programs and certificate child care contracts may maintain from the greater of: a) 2% of the total amount contractors receive for administration and supportive services; or, b) \$1,000, to 3% of the total amount contractors receive for administration and supportive services. Limits the total cost for administration and support services to an amount equal to 19% of the total contract amount and defines "total contract amount" as the greater of either of the following: a) the initial maximum reimbursable amount; or, b) the total of direct payments to providers, including,

but not limited to, family fees for certified children, interest earned on advanced contract funds, and reimbursable administrative and support service costs. The September 15, 2008 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.
Status: Chapter 759

AB 1395 (Coto) – Child care: child development contractors: reserve funds

Limits the total cost for administration and support services to an amount equal to 19% of the total contract amount and defines "total contract amount" as the greater of either of the following: a) the initial maximum reimbursable amount; or, b) the total of direct payments to providers, including, but not limited to, family fees for certified children, interest earned on advanced contract funds, and reimbursable administrative and support service costs.

Status: Assembly Education Committee

AB 2467 (Brownley) – State preschool: transfer of information

Authorizes the transfer information form to be transferred from a state-funded preschool or infant and toddler program to a local public school to include information the Superintendent of Public Instruction deems appropriate and helpful to a child's public school teacher, including the child's or family's eligibility for or participation in other public support programs; whether the child has an individualized education plan or has received a diagnosis for any type of special services; or whether the child is an English language learner in need of remedial assistance, an after school program, special transportation, or full-day child care.

Governor's Veto Message:

While I believe that it is beneficial to transfer information from preschool and infant and toddler programs to elementary schools, this bill is unnecessary. Nothing under current law prohibits the transfer of specified information that is deemed beneficial to the pupil and the public school teacher. Furthermore, nothing in current law prohibits a parent or guardian from providing information that would support their child's learning environment or abilities.

AB 2759 (Jones) – State preschool programs: reforms

Recasts, renames, and modifies provisions of the Child Care and Development Services Act to establish the California State Preschool Program that serve three and four-year children. This bill's enactment was contingent upon the enactment of SB 1629 (Steinberg).

Status: Chapter 308

SB 1629 (Steinberg) – State preschool programs: early learning quality improvement system

Establishes the Early Learning Quality Improvement System Advisory Committee and requires the Advisory Committee to develop the policy and implementation plan for an Early Learning Quality Improvement System for the state and submit to the Legislature and the Governor an interim report by December 31, 2009 and a final report by December 31, 2010. This bill's enactment was contingent upon the enactment of AB 2759 (Jones).

Status: Chapter 307

ENGLISH LEARNERS / MIGRANT AND INDIAN EDUCATION

AB 2077 (Fuentes) – The California English language development test

Requires that the annual administration of the English language development test (ELDT) be conducted during a three-month period commencing the day upon which 65 percent of the instructional year is completed, requires the California Department of Education to annually release sample questions from the ELDT, and requires that a pupil's scores be reported to his or her parent in English and, if available, in the language reported on the home language survey.

Status: Senate Appropriations Committee

AB 2135 (Mendoza) – Instructional materials

Requires, during the next reading/language arts (RLA) adoption cycle, the State Board of Education to revise the RLA framework to include the English Language Development Literacy Program, as a basic comprehensive English language literacy program for English learners.

Governor's Veto Message:

I vetoed similar legislation in 2006 and am concerned that this bill circumvents the decision by the State Board of Education on this issue. The State Board thoroughly vetted the issue in its deliberations and this measure contradicts that decision.

AB 2822 (Duvall) – English learners: reclassification

Requires the California Department of Education (CDE), as part of its duties in administering the English language development test, to gather from each school district that has one or more English learners the criteria that the district uses for the reclassification of a pupil from English learner to proficient in English and requires the CDE to summarize and report the criteria it receives from school districts on the CDE Internet Web site in a manner that makes the criteria easily accessible to members of the public.

Status: Senate Appropriations Committee

AB 2974 (Solorio) – English language learners: English Language Learner Literacy and Accelerated English Language Acquisition Pilot Program

Establishes the English Language Learner Literacy and Accelerated English Language Acquisition Pilot Program administered by the Superintendent of Public Instruction for purposes of accelerating English learner pupils' acquisition of listening, speaking, reading, and writing skills in the English language.

Status: Assembly Appropriations Committee

SB 1607 (Romero) – Reading and language arts: frameworks

Requires the State Board of Education, in the next revision cycle of the reading/language arts (RLA) framework and evaluation criteria, to include a chapter that provides for language and content instruction specific to English learners (ELs) and to include a program of instructional materials in RLA and English language development instruction specific to ELs.

Governor's Veto Message:

I vetoed similar legislation in 2006 and am concerned that this bill circumvents the decision by the State Board of Education on this issue. The State Board thoroughly vetted the issue in its deliberations and this measure contradicts that decision.

FINANCING SCHOOLS

AB 73 (Dymally) – School attendance

Revises average daily attendance (ADA) in regular elementary, middle, and high schools to be calculated by dividing the sum of active monthly enrollment reported for those schools during each period by the number of school months in which those figures were calculated during that period. Also requires that ADA in

continuation schools and classes be determined by dividing the total number of days of attendance allowed in all full school months in each period by the number of days the schools and classes are actually taught in all full school months in each period.

Status: Assembly Education Committee

AB 586 (Coto) – School finance: funding formula

States Legislative intent to replace the funding mechanisms for kindergarten through twelfth grade with a weighted student funding formula that also includes adjustments for grade level and geographic cost differences. Also directs the Superintendent of Public Instruction to convene a working group, with balanced representation and consisting of representatives from the Legislative Analyst's Office, California Department of Education, Department of Finance, State Controller's Office, county offices of education, school districts, and staff of the Legislature, to develop the statutory language that could enact this intent and requires the Superintendent to submit the language developed by the working group to the Legislature by February 15, 2009.

Status: Assembly Appropriations Committee

AB 599 (Mullin) – Education finance

Simplifies the state's system of education finance, by consolidating six revenue limit add-ons into two fixed adjustments to be included in each district's total revenue limit funding. One adjustment includes the sum of funding received per pupil in fiscal year 2007-08 for the Meals for Needy Pupils, incentives to increase beginning teachers salaries, and incentives for longer instructional day and year, increased in subsequent years by an annual cost of living adjustment. The second adjustment includes the sum of funding received per pupil in 2007-08 for unemployment insurance, Orange County bankruptcy proceedings, and specified inter-district transfers. Also makes specified statutory language, authorizing the six school district funding streams being consolidated, inoperative as of July 1, 2009 and repeals those sections as of January 1, 2010, unless a later statute is enacted.

Governor's Veto Message:

While this bill attempts to simplify an overly complex education finance system, this bill has several technical concerns in the way it was drafted. I am concerned that the consolidated "add-on" may not be revenue neutral, as the author intended, since various factors could result in unanticipated General Fund costs or savings in future years. Furthermore, the bill as crafted may diminish the incentives for districts to offer longer instructional time.

AB 1948 (Evans) – Education finance

Provides authority for two fiscal actions that bear on Vallejo City Unified School District (VCUSD) and that district's ability to make progress toward repaying its emergency loan. This bill: 1) authorizes the Education Audit Appeals Panel to use its discretion, notwithstanding deadlines in current law, in accepting an appeal from VCUSD that was filed one business day late and is related to three findings from the district's 2003-04 annual audit, and 2) extends the time period within which VCUSD is authorized to sell district owned property, using the proceeds to reduce or retire its \$60 million loan from the state, and within which VCUSD is ineligible for financial hardship assistance facilities funding through July 1, 2010.

Status: Chapter 636

AB 2027 (Swanson) – Restricted routine maintenance funds

Reduces the minimum amount of funds required to be deposited in a school district's restricted account for the ongoing and major maintenance of school buildings from 3% to 2% of a school district's total expenditures for the 2008-09 fiscal year.

Status: Assembly Education Committee

AB 2159 (Brownley) – Education finance: Commission for Funding with Accountability, Transparency, & Simplicity

Establishes the Commission for Funding with Accountability, Transparency, and Simplicity to provide policymakers by December 1, 2009, with a comprehensive plan to reform the education finance system by 1) developing a simple and transparent funding formula for school districts, Special Education Local Plan Areas (SELPA's), and county offices of education; 2) making recommendations on creating a new data system or modifying an existing system, and on creating an education finance evaluation system; and 3) making recommendations on transitioning to the new finance system with minimal disruption to the education system.

Status: Senate Rules Committee

AB 2236 (Garrick) – School finance: categorical education program funding: flexibility

Provides fiscal flexibility to school districts by authorizing a school district that posts specified information on its Web site each month to transfer up to five percent of the categorical education program funds allocated to that district in that fiscal year, excluding funding for special education, to other categorical programs. Requires, as a condition of using this authorization, the posting of information on the monthly expenditures of the school district (including

electronic payments), contracts entered into in the current month, ongoing contracts (including employment contracts and contracts with vendors), and the yearly operating budget of the school district.

Status: Assembly Appropriations Committee

AB 2277 (Eng) – Community college district: education finance

Requires, notwithstanding any other law, that commencing in an unspecified fiscal year, 11% of the funds appropriated under Proposition 98 for the support of school districts and community college districts and 11% of the funds appropriated as repayment of the maintenance factor, be allocated, as specified, to community college districts each fiscal year. The April 8, 2008 amendments deleted language so as to move this bill outside the jurisdiction of the Assembly Education Committee.

Status: Assembly Appropriations Committee

AB 2290 (Benoit) – School finance: categorical funding

Authorizes a school district to use up to twenty percent of the total amount of categorical funding it receives in each fiscal year, excepting funding for special education but including any block granted funds, for purposes of providing home-to-school transportation.

Status: Assembly Education Committee

AB 2378 (Houston) – School finance: equalization

Establishes a statutory formula for making equalizing adjustments to school district revenue limits in the 2009-10 fiscal year with a goal of raising per pupil revenue limits such that 90 percent of all pupils would be attending school districts with revenue limits that are equal to other districts of the same size and type. Appropriates \$150 million from the General Fund to the Superintendent of Public Instruction for the 2009-10 fiscal year to fund revenue limit equalization

Status: Assembly Education Committee

AB 2394 (Coto) – Education finance

Requires the Superintendent of Public Instruction to enter into a contract for the completion of a comprehensive study of key factors to be considered in the creation of weights within a weighted student funding formula for California. Requires that the comprehensive study include a set of recommendations for weighted student formula, based on differing student need and based on objective and thorough research; also requires the study to include an examination of weighted student formula in other states and nations, an examination of the literature, an examination of the data of current funding levels and their funding differences in terms of student success, current California

implicit weighted funding levels, funding factors deemed adequate to meet the needs of special student populations, adequate funding defined to meet the educational needs of all students, and a proposed best course of action based on and supported by an extensive body of research. The study is required to be completed by December 31, 2009.

Status: Assembly Appropriations Committee

AB 2462 (Davis) – Education finance: California Lottery Education Fund

Requires the Superintendent of Public Instruction to annually post and maintain on the Internet Web site maintained by the California Department of Education (CDE) a detailed report showing the amount of lottery funds that were expended by each school district and county office of education in the previous fiscal year and the purposes for which those funds were expended.

Status: Assembly Appropriations Committee

AB 2493 (Strickland) – Career technical education: regional occupational centers & programs: funding

Establishes a statutory formula for making annual equalizing adjustments to the revenue limits of regional occupational centers and programs (ROC/Ps) by requiring the Superintendent of Public Instruction in any fiscal year in which funding for ROC/Ps is increased, to make an adjustment to the per pupil revenue limit of each ROC/P with a per pupil revenue limit below the median for all ROC/Ps in that fiscal year; such adjustment shall increase the per pupil revenue limit in those ROC/Ps to the median level for that fiscal year. Also requires the adjusted per pupil revenue limit to be used to compute total revenue limit funding for those ROC/Ps for each fiscal year, and prohibits a reduction in funding for any ROC/P with a per pupil revenue limit below the median, in any fiscal year in which funding for ROC/Ps is reduced.

Status: Assembly Education Committee

AB 2725 (La Malfa) – Federal forest reserve funds: short-term loans

Creates an urgency statute that authorizes the State Controller (SCO) to issue short-term loans during the 2008-09 fiscal year from the state general fund to a county, school and community college districts, or county superintendent of schools upon request and based upon a delay in the receipt of federal forest reserve funding associated with the Secure Rural Schools and Community Self-Determination Act of 2000 (SRS). Establishes a process and timeline for the review of loan requests, and a maximum loan amount; also requires repayment of the loan and interest in full by January 1, 2010.

Status: Assembly Appropriations Committee

AB 2831 (Fuller) – Education finance: categorical programs

Creates an urgency statute that provides fiscal flexibility to school districts by allowing them for the 2008-09 and 2009-10 fiscal years to transfer any unencumbered balance of state categorical program restricted funds from any prior year or program to the district's unrestricted general fund. Allows the use of such transferred funds for any appropriate purpose determined by the district's governing board, except for expenditures for the purpose of expanding existing programs or increasing salaries of district personnel, but excludes the following funds from this authority: capital outlay funds, federal funds, proceeds of bonds, sinking funds for the repayment of bond debt.

Status: Assembly Education Committee

AB 2832 (Fuller) – Restricted routine maintenance funds

Reduces, for two years, the required amount a district must deposit in the restricted routine maintenance of facilities account from 3% to 1.5% of a school district's total expenditures.

Status: Assembly Education Committee

AB 2890 (Duvall) – Categorical education programs

Consolidates 65 K-12 education categorical funding programs with approximately \$6.38 billion in funding, including those programs in block grants created by AB 825, into several clustered categorical block grants effective beginning in the 2008-09 fiscal year. Allows funds in each block grant to be expended on programs in that block grant as statute read at a specified point in time prior to the repeal of that program's statute, adds some additional limited authorized uses, and adds various reporting requirements. Also provides flexibility for the use of funds apportioned for these block grants by allowing 50% of the funds to be transferred out of any block grant and into any other categorical or block grant, excepting that no more than 155% of funding allocated for any program may be spent on that program, and replaces the mechanism for calculating the Charter School Categorical Block Grant as well as the requirements and authorities governing charter schools' receipt of state categorical funding.

Status: Assembly Education Committee

AB 2933 (Education Committee) – Education finance: categorical programs

Consolidates numerous K-12 education categorical funding programs into several broad-based categorical block grants effective beginning in the 2009-10 fiscal year by 1) retaining the existing Pupil Retention Block Grant established by

AB 825, that consolidates six former categorical programs with approximately \$97.5 million in funding; 2) adding the competitive school safety grant to the existing clustered School Safety Consolidated Competitive Grant established by AB 825, that consolidates seven former categorical programs with approximately \$119.5 million in funding; and 3) establishing three new block grants consolidating 28 programs with funding of approximately \$3.8 billion. Also defines broad, but well defined, uses to which the funds in the true block grants can be put, allows funds in the clustered block grants to be expended on programs in that block grant as statute read at a specified point in time prior to the repeal of that program's statute, and adds some additional limited authorized uses and restrictions.

Status: Assembly Education Committee

AB 3008 (Villines) – School districts: state mandates: suspension

Requires the Legislature, commencing with the 2007-08 fiscal year and each year thereafter, to appropriate in the Budget Act the full payable amount that has not been previously paid for each mandate for which the costs of a school district claimant have been determined in a preceding year to be payable by the state; also requires that, for any year in which the Legislature fails to appropriate the amount required for any mandate, that mandate shall be suspended for that fiscal year. Allows payment over a term of five years for costs incurred prior to the 2006-07 fiscal year that have not been reimbursed prior to the 2007-08 fiscal year, but requires appropriation of funds to cover required mandate reimbursements due to each city, county, city and county, and special district for payment to those entities over a period of not more than 15 years. Exempts the following mandates from these provisions: criminal background checks, pupil expulsions, pupil suspensions, expulsions and expulsion appeals, High School Exit Exam, charter schools, and the Open Meetings Act / Brown Act Reform.

Status: Assembly Education Committee

ACA 3 (Gaines) – Expenditure limits

Makes changes to Article XIII B of the California Constitution established by Proposition 4 (1979), as amended by Proposition 111 (1990), which provides for a Constitutional limit on governmental expenditures, by deleting the current provisions establishing a limit on appropriations of the state and of each local government, restricting an annual increase in state expenditures from state General Fund (GF) and Special Funds to a factor equal to the percentage increase in the California Consumer Price Index multiplied by the percentage increase in state population, and restricting state expenditures in a given year further to the level of allowable expenditures in the prior year, if actual expenditures in the prior year were less than the allowable expenditures. Allows this expenditure limit to be exceeded in case of Governor declared emergencies,

but requires that excess amount to be counted toward the subsequent year's limit, and requires revenues that are unexpended due to this expenditure limit to be allocated fifty percent to the State School Fund for K-14 education, with the remainder allocated in equal thirds to a Special Reserve Account, as a personal income tax rebate, and to a trust fund established to fund health care and dental benefits for State of California or California state University retirees. Also 1) requires the reduction of the state's expenditure limit to conform with any transfer of financial responsibility from the state to local governments, 2) requires the expenditure of funds out of the allocation of unexpended revenues described above to constitute expenditures subject to the state's expenditure limit, and restricts the filing of claims for reimbursement of mandates to no more than two years after the effective date of the mandate.

Status: Assembly Education Committee

SB 146 (Scott) – School finance: attendance and enrollment

Requires the first step in what is intended to be a multiyear transition from average daily attendance (ADA) to average monthly enrollment (AME) as the basis for funding public schools in California. This bill requires the Superintendent of Public Instruction (SPI) to 1) compute AME for each school district for 2007-08 and 2008-09, using school district active enrollment data currently reported to the California Department of Education, 2) compare the computed AMEs to the ADA reported for each district in each year, calculate the ratio of ADA to AME for each year and district, and compute the average ratio (or ADA to AME conversion factor) across years for each district, and 3) report these calculations to the Department of Finance, Legislative Analyst, Secretary for Education, and the appropriate fiscal and policy committees of the Legislature by November 15, 2009.

Governor's Veto Message:

I am concerned that the accounting change in this bill could result in reduced incentives for schools to maximize student attendance. Because I believe students are best served through rigorous daily classroom instruction, I cannot support this measure.

SB 681 (Torlakson) – School finance: instructional time

Establishes a new categorical program, the California Enhanced Instructional Time program, to provide funding incentives to high schools that voluntarily increase instructional time by up to 17 percent. Allows a high school with any of grades 9 to 12 to participate, with the approval of its district governing board and to receive \$1000 per unit of average daily attendance if the school certifies that it provides at least 75,600 minutes of instructional time annually. Prioritizes the allocation of funds first to high schools that are ranked in deciles 1, 2, or 3 on the most recent academic performance index, second to high schools with 50

percent or more of its pupils are eligible for free or reduced price meals, third to high schools that previously offered less than 75,600 minutes, and last to all other applicants. Becomes operative in the first fiscal year after the 2008-09 fiscal year in which the Proposition 98 minimum funding guarantee is determined using Test 1, if that occurs prior to January 1, 2016, and requires that the program only be implemented in any fiscal year after the minimum Proposition 98 maintenance factor has been appropriated.

Status: Assembly Education Committee

SB 1197 (Alquist) – Regional occupational centers: joint powers authorities: funding

Requires, commencing in fiscal year 2009-10, a regional occupational center and program (ROC/Ps) established and maintained by a joint powers agency (JPA) to receive funding directly from the county office of education in which it is located instead of receiving funds from each of the school districts participating in the JPA. Clarifies that the operating funds allocated to the ROC/Ps operated by JPAs shall be an amount per unit of average daily attendance (ADA) equal to the revenue limit received by each of the participating school districts for each unit of ADA generated in the ROC/P by each participating school district.

Status: Chapter 519

SJR 23 (Aanestad) – Federal Secure Rural Schools and Community Self-Determination Act of 2000: extension

Makes findings as to the history of the Secure Rural Schools and Community Self-Determination Act of 2000 (SRS), the importance of the funding provided by that act to rural California schools and counties, and the efforts that have been made to extend this act; also resolves that the Legislature respectfully urge Congress to reauthorize or extend the SRS to provide long-term, stable funding to allow impacted schools and counties to maintain vital programs and avoid any interruption in services and operations.

Resolution Chapter 61

INSTRUCTIONAL MATERIALS

AB 357 (Mendoza) – Instructional materials

Makes a publisher or manufacturer who fails to deliver instructional materials within 60 days of the receipt of a purchase order from a school district liable for damages in the amount of \$500 for each working day that the order is delayed beyond 60 calendar days.

Governor's Veto Message:

While I am supportive of efforts to ensure that school districts have instructional materials available for their students on a timely basis, this bill is unnecessary. Districts may enter into contractual agreements with publishers and can negotiate any level of penalty based on a variety of contract terms, even without statutory mandate.

AB 2315 (Mullin) – Instructional materials

Extends the instructional material purchasing requirement from two to three years following an adoption, and deletes the requirements that the Curriculum Commission study, evaluate, and recommend to the State Board of Education (SBE) instructional materials for adoption. Requires the SBE to hold a public meeting prior to the meeting at which the SBE is scheduled to adopt instructional materials. Requires the list of state-approved instructional materials and the reports of findings from the state-level review be made available to school districts and be posted on the California Department of Education's (CDE) Web site. Allows school districts to submit names of individuals to review instructional materials for adoption in kindergarten and grades one to eight, inclusive.

Governor's Veto Message:

The State Board of Education (SBE) recently addressed the issue of greater transparency and clear timelines and procedures in the instructional materials adoption process. Those SBE regulations were intended to set forth the process by which the SBE adopts curriculum frameworks, evaluation criteria, and instructional materials. Moreover, I see no need to change the process or the people involved in this important work. The SBE should maintain the authority of selection and appointment of instructional materials reviewers and content review experts.

AB 2468 (Brownley) – Instructional materials: policies

Requires the State Board of Education (SBE) to adopt procedures to ensure that the Curriculum Development and Supplemental Materials Commission (Commission) does not consider price in determining instructional materials recommendations to the SBE and that recommendations of the Commission are based solely on content standards alignment, approved evaluation criteria, and quality. Requires the SBE to consider price as a factor in adopting instructional materials.

Governor's Veto Message:

I have vetoed similar legislation dealing with the cost of instructional materials in prior years. Current law already provides safeguards against California paying higher prices for instructional materials than any other state or school district in the entire country. Moreover, I continue to believe that California should always focus on providing the highest quality of educational materials for our students.

AB 2932 (Karnette) – Instructional materials: submission for adoption

Requires instructional materials for foreign language and health to be submitted to the State Board of Education for adoption in 2012 and 2013, respectively, and shortens the time period between the adoption of the framework and criteria and the adoption of instructional materials for the next history and social science and science adoptions.

Status: Chapter 149

INSTRUCTION AND CURRICULUM

AB 359 (Karnette) – High school exit examination: intensive instruction and services

Creates an urgency statute that corrects a drafting error in current law pertaining to the provision of intensive instruction and services designed to help pupils pass the high school exit examination.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest

priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 531 (Salas) – Curriculum frameworks: social sciences: school segregation

Requires the State Board of Education and the Curriculum Development and Supplemental Materials Commission to ensure that the case of *Mendez v. Westminster School District* (64 F. Supp 544 (C.D. Cal. 1946) aff'd, *Westminster School Dist. v. Mendez* (9th Cir. 1947) 161 F. 2d 774) and the role of this case in the civil rights movement and the desegregation of public schools in California and the nation be included in the next revision and adoption of the history-social science framework, criteria, and instructional materials for grade four and either grade 11 or 12.

Governor's Veto Message:

While I respect the author's intent to recognize the role that the *Mendez v. Westminster School District* case played in the civil rights movement, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

AB 1502 (Lieu) – Instructional materials

Promotes the inclusion of financial literacy in curriculum frameworks and instruction by requiring the State Board of Education and the Curriculum and Instructional Materials Commission to ensure that information about financial literacy is included in curriculum frameworks in appropriate subject areas adopted in the next cycle, encouraging school districts to include personal finance, budgeting, savings, credit, and identity theft during any instruction in economics, and encouraging professional development activities to provide teachers with content and resources related to the teaching of financial literacy.

Governor's Veto Message:

While I acknowledge that teaching students the importance of financial literacy is meritorious, school districts already have the flexibility to incorporate money management into their lesson plans. Moreover, the State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow

coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

AB 1863 (Portantino) – Pupil instruction: social sciences

Makes numerous findings and declarations regarding the contributions of Italian Americans to California and the United States (U.S.) history; encourages schools to include the role and contribution of Italian Americans to the economic, political, and social development of California and in the instruction they provide in social science; and encourages the State Board of Education to include the role and contribution of Italian Americans to the economic, political, and social development of California and the U.S. in the social sciences curriculum frameworks at the next revision of those frameworks.

Governor's Veto Message:

While I respect the author's intent to recognize the role of Italian Americans in California and United State history, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

AB 2034 (Nuñez) – Instructional materials: Native Americans

Encourages the State Board of Education and the Curriculum Development and Supplemental Materials Commission to ensure that the next adoption of the history-social science framework, evaluation criteria, and instructional materials include American Indians, emphasizing California Native Americans, including their existing tribal and sovereign governments, and their relationship with the California state government.

Governor's Veto Message:

While I respect the author's intent to recognize the role of Native Americans and their tribal and sovereign governments' relationship with the state, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the

State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

AB 2056 (De Leon) – High school exit examination

Establishes priorities for the use of high school exit examination (HSEE) intensive instruction and services funds and expands the allowable uses of these funds to include pupils in grade 10 who are at risk of not passing one or both portions of the HSEE.

Status: Senate Appropriations Committee

AB 2064 (Arambula) – Instructional materials: Vietnam War

Requires the State Board of Education and the Curriculum Development and Supplemental Materials Commission to ensure that the history-social science framework, adopted in the course of the next submission cycle after January 1, 2009, include the Vietnam War, including the "Secret War" in Laos, the role of Southeast Asians in that war, and the refugee/immigrant/new American experience.

Governor's Veto Message:

While I respect the author's intent to recognize the role that Southeast Asians played in the Vietnam War, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

AB 2325 (Price & DeSaulnier) – Curriculum: African & Latin American cultures

Requires the courses in social sciences offered in grades seven to 12, inclusive, to include a foundation for understanding modern African, Asian, and Latin American cultures and civilizations and requires the State Board of Education to integrate instruction on the governments and political issues of Africa and Latin America into the grade 10 social studies content standards.

Status: Assembly Appropriations Committee

AB 2395 (Walters) – Supplemental instruction

Authorizes school districts and charter schools to offer supplemental instruction to pupils during the schoolday.

Status: Assembly Education Committee

AB 2457 (Walters) – Instructional programs: Online Classroom Pilot Program

Authorizes the California Department of Education (CDE) to approve competitive applications to operate an online, asynchronous, interactive course from up to 50 school sites (no more than 5 school sites in any school district), by giving priority to the extent to which the online course will mitigate an applicant's shortage of offerings of courses meeting California public university admission requirements, and by limiting applications to high school and any middle school with a State Board of Education waiver. Also requires the CDE to develop various standards and criteria related to administration of the course, and to contract with an independent evaluator to assess this online program. Places requirements on participating schools with respect to course content, teacher qualifications, voluntary enrollment of students, student testing, attendance accounting, and district governing board approval of the course.

Status: Assembly Appropriations Committee

AB 3084 (Cook and Ma) – Social sciences curriculum: Filipinos in World War II

Expresses the encouragement of the Legislature that instruction in social sciences includes the role of Filipinos in World War II, including a component drawn from personal testimony, especially in the form of oral or video histories of Filipinos who were involved in World War II and those men and women who contributed to the war effort on the homefront.

Governor's Veto Message:

While I respect the author's intent to recognize the role of Filipinos who fought courageously in World War II, I have consistently vetoed legislation that has attempted to include specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

ACR 145 (Portantino) – Pupil instruction: social sciences

Designates the month of October as Italian American Heritage Month and encourages public schools to highlight Italian American achievements and contributions to the culture of California and to take steps to promote the inclusion of the achievements and contributions of Italian Americans to United States and California history in elementary and secondary textbooks during the revision process for those textbooks.

Status: Resolution Chapter 125

AJR 64 (Mullin) – Pupil testing and secondary education

Makes findings as to the structure of the state and federal educational accountability systems, the impacts that these systems have had on the mix of instructional time across different content areas in the curriculum (i.e., the narrowing of the curriculum to focus more time on language arts and mathematics, and less time on other subjects), and the impacts that this change in the mix of instructional time has had on students. Resolves that the Legislature urge the 110th Congress to recognize the importance of curriculum and instruction covering all subjects, including history/social science, science, art, music, and physical education, when Congress considers reauthorization of the Elementary and Secondary Education Act. Resolves that the Legislature urge school districts, county offices of education, and charter schools to focus on teaching the whole child in a wider curriculum. Also resolves that the Legislature urge the State Board of Education (SBE) and the Superintendent of Public Instruction (SPI) to consider and recommend alternatives for including all subjects in the assessment and accountability system, without further reducing instructional time or promoting teaching to the test.

Status: Resolution Chapter 147

SB 155 (Maldonado) – Instructional programs: Online Classroom Program

Authorizes the California Department of Education (CDE) to approve competitive applications to operate an online, asynchronous, interactive course from up to 50 school sites (no more than 5 school sites in any school district), by giving priority to the extent to which the online course will mitigate an applicant's shortage of offerings of courses meeting California public university admission requirements, and by limiting applications to high school and any middle school with a State Board of Education waiver. Also requires the CDE to develop various standards and criteria related to administration of the course, and to convene a working group to assess this online program; the State Controller is also required to review the program. Places requirements on participating schools with respect to course content, teacher qualifications, voluntary enrollment of students, student testing, attendance accounting, and district governing board approval of the course. In addition this bill reduces the minimum day necessary to count a pupil,

participating in online instruction, as attending a full day in the calculation of average daily attendance for funding purposes to 180 minutes of in-classroom attendance. The June 5, 2008 amendments changed the author to Senator Cox, deleted the contents of this bill, and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Chapter 702

SB 227 (Harman) –High school graduation requirements

Authorizes a school district to offer for-credit elective courses in community service as part of its seventh through twelfth grade regular course of study, and requires a district that elects to offer such courses to determine the manner in which it will offer those courses consistent with the Constitutional prohibitions on support of sectarian, denominational, or other religious organizations. The May 7, 2008 amendments deleted the contents of this bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Senate Floor

SB 602 (Torlakson) – Physical education

Authorizes the governing board of a school district or the office of the county superintendent of schools, with the pupil's consent, to grant a pupil an exemption from courses in physical education for two years any time during grades 10 to 12, inclusive, if the pupil has met satisfactorily at least 5 of the 6 standards of the physical performance test in grade 9 or in any of grades 10 to 12.

Status: Chapter 32

SB 908 (Simitian) – Environmental education

Adds climate change to the list of environmental education topics that shall be included in the revision of the science framework.

Governor's Veto Message:

While I am supportive of encouraging "climate change" education curriculum, I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should refrain from being overly prescriptive in specific school curriculum, beyond establishing rigorous academic standards and frameworks.

Moreover, in this particular case, the California Integrated Waste Management Board's Office of Education and Environment, in conjunction with the California Environmental Protection Agency is already well into the process of incorporating the "climate change" issue in the creation of an environment-based K-12 model curriculum.

SB 1097 (Torlakson) – School curriculum: content standards

Establishes a process for the review and revision of the reading/language arts (RLA) and history/social science (H/SS) state academic content standards by requiring the appointment of content standards review panels (panels) for RLA and H/SS to review the content standards and recommend changes to the State Board of Education (SBE) as deemed necessary. Requires the SBE to adopt or reject the recommended changes within 120 days of receipt and at least two years prior to the adoption of curriculum frameworks for the relevant subject area and repeals the provisions of this bill on January 1, 2017.

Governor's Veto Message:

The original academic content standards were adopted through a public and inclusive process involving teachers, educators and content experts from around the state. The authorizing statute provided that the Governor retain a majority of appointments to the Standards Commission, followed by the Superintendent and leadership in the legislature and correctly held the Governor ultimately accountable to ensure a balance of expertise and stakeholders participated in such a critical endeavor. This bill proposes to dilute the role of the Governor.

SB 1097 also deletes a provision codified by the original statute that explicitly authorized the State Board of Education (Board) to modify any proposed content standards prior to adoption. Instead, it only allows the Board to accept or reject proposed changes. The Board would not have authority to make even minor corrections to the panel's recommended changes.

I see no compelling reason to alter the balance established by the original statute in determining the composition of the commission that reviewed the academic content, or the process that provided for recommendations to the Board for consideration, modification, and approval.

Furthermore, while I would welcome participation by teachers, the measure does not define "recent public classroom experience" and thereby raises the possibility of controversy regarding whether or not certain members of the panel are duly authorized to participate.

I cannot support the dilution of the authority of the Governor or the State Board of Education. California's content standards are too important to allow for unnecessary ambiguity that could call into question the very process of a historic review and possible modification.

SB 1214 (Cedillo) – Pupil instruction: adopted course of study

Requires the State Board of Education (SBE) to include, in the 2009 revision and adoption of the history-social science (H/SS) framework and instructional materials, instruction on the unconstitutional deportation of United States (U.S.) citizens and lawful permanent residents to México during the Great Depression. Authorizes social sciences instruction in grades 1 to 6, inclusive, and social science courses in grades 7-12, inclusive, to include instruction on the unconstitutional deportation of U.S. citizens and lawful permanent residents to México during the Great Depression.

Governor's Veto Message:

I vetoed a substantively similar bill two years ago on this issue, and I have consistently vetoed legislation that has attempted to mandate specific details or events into areas of instruction. The State Board of Education adopted content standards are developed by a diverse group of experts and are intentionally broad in order to allow coverage of various events, developments, and issues. I continue to believe that the State should establish rigorous academic standards and frameworks, but refrain from being overly prescriptive in specific school curriculum.

SB 1254 (Wyland) – Education: curriculum

Encourages the Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) to consider methods of enhancing pupils' knowledge of, and pride in, American history and government. This measure also encourages the SPI and SBE to consider methods of increasing student levels of civic participation.

Status: Assembly Appropriations Committee

SB 1269 (Wyland) – Science education

Requires the Superintendent of Public Instruction and the State Board of Education to direct the appropriate entity to revise the science frameworks, and standards, if necessary, and to incorporate in the science curriculum all of the following: applied math, reading comprehension and expository writing in describing observations and experiments; analytical, intellectual, and creative skills necessary to pose and investigate scientific questions; and engineering elements, in a manner designed to engage pupils.

Status: Assembly Appropriations Committee

SB 1274 (Wyland) - Patriotic exercises and instruction

Places additional requirements on a public school that chooses to use the Pledge of Allegiance to the Flag of the United States of America (Pledge) as part of the school's required daily patriotic exercise by specifying that instruction, given in combination with the Pledge and promoting an understanding of the concepts of "pledge", "allegiance", "republic" and "indivisible", and an understanding of the importance of the Pledge as an expression of patriotism, love of country and pride in the United States of America satisfy the patriotic exercise requirement.

Status: Chapter 523

SB 1442 (Wiggins) – Pupils: supplemental instruction programs

Authorizes school districts and charter schools offering supplemental instructional programs to pupils who are not making progress toward passing the high school exit exam and to pupils who are recommended for retention or retained to offer programs that integrate instruction in the core curriculum with real-world applications delivered through project-based learning and problem-based teaching strategies.

Governor's Veto Message:

Current law does not prohibit school districts or charter schools from offering project-based learning and problem-based teaching strategies to its students. Therefore, this bill is unnecessary.

SCR 86 (Denham) – Local history instruction

Encourages high school social studies teachers to study independently at their local county historical society and to use the materials available there to instruct their pupils on local history, and encourages high schools to offer instruction covering all of the most important historical events that occurred in the county in which each school is located. Encourages the California State Grange to work with historical societies throughout the state to collect local history instruction that will be available to assist local educators in teaching local history to their pupils.

Status: Resolution Chapter 60

SCR 88 (Denham) – Education: 21st century skills

Resolves that the Legislature supports the California education system in preparing pupils to succeed and prosper in life, in school, and on the job and to ensure that America remains competitive in today's global, knowledge-based economy; and urges education and business leaders to work together to create

an education system that better prepares today's pupils for tomorrow's workplace. Resolves that it is the intent of the Legislature to spark dialogue among local community leaders as they work to bridge the gap between the knowledge and skills pupils are acquiring in schools and those needed to succeed in the increasingly global, technology-infused world.

Status: Resolution Chapter 63

PUPIL HEALTH AND NUTRITION

AB 1966 (Garcia) – Pupil nutrition: school meals

Requires each schoolsite that enrolls more than 400 pupils and that meets the qualifications for federal severe need reimbursement, to offer breakfast that qualifies for federal reimbursement starting with the 2010-2011 school year. Authorizes the State Board of Education to grant waivers of this requirement to a school district or county office of education. Requires the California Department of Education to give preference to schools that qualify for federal severe need reimbursement when awarding school breakfast start-up grants.

Status: Assembly Appropriations Committee

AB 2072 (Hayashi) – Physical education: award program

Requires the State Board of Education, to establish the Physical Education Award Program to provide awards to schools that conduct their physical education courses pursuant to the model content standards and demonstrate that increasing numbers of pupils meet minimum standards on the physical performance test. Requires that private funds be used to pay for all of the costs of implementing the program, and authorizes the Superintendent of Public Instruction to receive donations of private funds for purposes of implementing the program. Prohibits the State Board of Education from establishing the program unless and until the Department of Finance certifies to the Superintendent of Public Instruction that private donations received by the state are sufficient to implement the program.

Status: Senate Appropriations Committee

AB 2165 (Karnette) – Interscholastic & intercollegiate athletics: safety equipment

Requires public and private K-12 schools, community colleges, colleges, and universities to consider imposing the requirement that students wear a fitted mouth guard while engage in an athletic competition in football, basketball, soccer, wrestling, field hockey and lacrosse. The August 18, 2008 amendments deleted the contents of this bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Chapter 446

AB 2300 (Laird) – School lunch and breakfast programs: direct certification

Directs the California Department of Education in consultation with the California Department of Health Care Services to develop and implement a process to use Medi-Cal participation data to verify and directly certify children into the National School Lunch and School Breakfast programs, upon receipt of federal funds to support implementation.

Status: Chapter 673

AB 2318 (Smyth) – Interscholastic athletics: performance enhancing substances

Requires, by January 1, 2011, the California Department of Education to report the effectiveness of the steroid prevention program established by SB 37 (Speier), Chapter 673, Statutes of 2005.

Status: Assembly Appropriations Committee

AB 2580 (Arambula) – Health: immunizations

Adds the pertussis (whooping cough) booster vaccine to the list of vaccinations required for pupils before entering the seventh grade, and removes specified age and date restrictions from the list of required vaccines.

Status: Senate Appropriations Committee

AB 2704 (Leno) – Pupil nutrition: availability of tap water

Prohibits the governing board of a school district from entering or renewing a contract that restricts the availability of free tap water on a school campus; and, authorizes schools to provide free tap water in school food service areas.

Governor's Veto Message:

This bill authorizes schools to provide free tap water for students in the food service area during the school day. Nothing under current law prohibits a school from providing free tap water to its students. This bill also prohibits a district from entering into contracts that prohibit the availability of free tap water. This bill essentially seeks to regulate a perceived lack of common sense amongst California's school administrators, implying that they are not acting in the best interest of our students, by denying kids access to free tap water. I do not believe this particular bill is necessary.

Instead of signing this bill, I would much rather work with the Legislature on finding more positive and constructive ways to promote the accessibility and consumption of clean water in our schools.

AB 2708 (Solorio) – School districts: advertising

Prohibits, as of July 1, 2010, the governing board of school district or the administrator of a charter school from advertising a food or beverage product, or advertising corporate brands, logos, names, or trademarks of food and beverage manufacturers on school premises. The bill would exempt from its prohibitions food or beverage products sold to or consumed by pupils, and would authorize the governing board of a school district or administrator of a charter school to exempt from the scope of this prohibition, permanent non-consumable donated items, including, but not limited to, marquees, message boards, scoreboards or backboards, with corporate brands, logos, names, or trademarks of food or beverage products or manufacturers that existed immediately preceding July 1, 2010.

Status: Assembly Appropriations Committee

AJR 69 (Brownley) – Child nutrition programs

Supports the reauthorization of federal child nutrition programs; urges the President and Congress to ensure that reimbursement rates are adequate to fully fund the cost of producing a nutritious school meal relative to the cost of living in the region; and, resolves that the eligibility scale used to qualify families for free and reduced-price meals be adjusted according to the self-sufficiency index, as it is developed for the region served.

Status: Resolution Chapter 151

SB 564 (Ridley-Thomas) – Public School Health Center Support Program

Expands the definition of "school health centers" and requires the State Department of Public Health, to the extent funds are appropriated for implementation of the Public School Health Center Support Program, to establish a grant program to provide technical assistance and funding for the expansion, renovation, and retrofitting of existing school health centers and the development of new school health centers.

Status: Chapter 381

SB 775 (Ridley-Thomas) – Childhood lead poisoning

Requires, on or after July 1, 2008, all school children under the age of six to be assessed for risk of exposure to lead poisoning before enrolling in school or

specified child care settings. The June 2, 2008 amendments deleted the contents of the bill related to education and added language that is outside the jurisdiction of the Assembly Education Committee.

Governor's Veto Message:

While I support programs to reduce lead exposure for children, this bill is duplicative of existing state requirements and may jeopardize overall funding for lead poisoning prevention. Many of the bill's provisions are unnecessary and are already being accomplished administratively.

SB 1369 (Cedillo) – Pupil nutrition: free and reduced price meals: application

Grants school districts the option to avoid the step of processing a school lunch program application for the purposes of determining eligibility for Medi-Cal or Healthy Families, if the district knows that the child already has an active Medi-Cal or Healthy Families case. The August 18, 2008 amendments changed the author to Senators Cedillo and Battin, deleted the contents of this bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Chapter 748

PUPIL PERFORMANCE AND ASSESSMENT

AB 1015 (Brownley) – High schools: requirements for graduation

Requires the Superintendent of Public Instruction in consultation with the Secretary for Education and the High School Exit Examination Standards Panel to identify multiple measures by which high school pupils, who are regarded as proficient but are unable to pass the high school exit examination, may demonstrate their competence and receive a high school diploma. Requires the multiple measures identified to include, but not be limited to, an exemplary academic record as evidenced by transcripts, alternative tests, and opportunities for pupils to demonstrate competence through the development of portfolios of finished coursework or the completion of other learning projects. Also requires that three public hearings in different areas of the state be held on these issues, and that any findings and recommendations be reported by October 1, 2009.

Status: Assembly Appropriations Committee

AB 2478 (Huffman) – Public school accountability

Requires the committee advising the Superintendent of Public Instruction (SPI) on matters related to the Academic Performance Index (API), to recommend to the SPI and State Board of Education (SBE) an appropriate and feasible methodology that establishes a measure of growth in annual academic achievement for specific cohorts of public elementary and secondary school pupils, and a mechanism to utilize this measure to provide a more comprehensive measure of school and district academic performance over time.

Status: Assembly Appropriations Committee

AB 2776 (Mullin) – The Public Schools Accountability Act of 1999: advisory committee

Requires the advisory committee advising the Superintendent of Public Instruction (SPI) on matters related to the Academic Performance Index (API) to exam potential improvements in the API, and to make recommendations to the SPI 1) by July 1, 2010 concerning the establishment of a methodology for incorporating individual student information in the California Longitudinal Pupil Achievement Data System (CALPADs) into the API measure of academic performance and for measuring academic growth over time for individual students through longitudinally valid assessments, and 2) by July 1, 2009, regarding the inclusion of results from the California English Language Development Test (CELDT) and English learner proficiency into the API. Also requires the SPI to forward the committee's recommendations on the inclusion of CELDT results to the State Board of Education for its approval, and to include cost estimates and a timeline for implementation of each recommendation.

Status: Senate Appropriations Committee

AB 2895 (Brownley) – Pupil achievement: high school exit examination

Provides additional detail in the specifications for the multi-year independent evaluation of the high school exit examination, by adding surveys and statewide pupil identifiers to the information upon which the independent evaluation is based, and extending the evaluation's analysis of the exit examination's effects to include: 1) a determination of the pathways that pupils who do not meet the exit examination graduation requirement pursue, to the extent that existing data is available or may be obtained by the independent evaluator; 2) student participation in remediation or alternative education programs available to non-graduates, including options available to pupils pursuant to AB 347 (Nava), Chapter 526, Statutes of 2007; 3) the economic impact on pupils who do not meet the exit examination graduation requirement, and whether students who failed the exit examination also failed to meet other graduation requirements; 4) whether students who failed the exit examination attend secondary schools with specified characteristics relating to academic performance, teacher preparation,

poverty, language development, and ethnicity; and 5) student progress at earlier grades on the California Standards Tests and California English Language Development Test as possible pre-cursors to exit examination failure. Also requires the independent evaluation to include recommendations to increase graduation rates for all students, and to review the findings and data in related reports currently required by statute as part of the analysis.

Status: Senate Appropriations Committee

SB 1111 (Scott) – Pupil testing

Requires the State Board of Education (SBE), notwithstanding any other provision of law and to the extent possible under federal law, to minimize testing time and duplication required to complete the assessments in the Standardized Testing and Reporting program, and to revise testing requirements so that pupils, by July 1, 2009, may satisfy any federal testing requirement through administration of an achievement or end-of-course test, as defined, already required pursuant to state law. Prohibits the SBE from requiring the administration of any achievement test based solely on federal requirements, and requires that any federally required achievement test only be authorized by statute. Also requires that nothing in this bill be construed as justifying a reduction of testing rigor or standards.

Governor's Veto Message:

This bill would severely restrict the State Board of Education's authority to act on behalf of the state to meet federal requirements, and therefore, compromises federal funding that California receives. While I support the intent of reducing duplication in educational tasks, I cannot support the approach taken in this measure.

SB 1251 (Steinberg) – School accountability: Academic Performance Index: graduation rates

Defines a four-year, five-year and six-year high school graduation rate, and adds partial credit for pupils who graduate from high school in five or six years to the calculation of the Academic Performance Index (API) for each high school, excepting that the school receives full credit for graduating, in five or six years, a pupil with disabilities in accordance with that pupil's individualized education plan.

Status: Chapter 710

SB 1709 (Alquist) – Pupil achievement

Establishes the Standardized Testing Achievement Rewards to provide non-monetary pupil awards and incentives based on testing results, and authorizes school districts to provide non-monetary incentives, including a designation of

achievement on the pupil's high school diploma, to pupils in grades 7 through 11 for achievement or improvement on tests administered as part of the Standardized Testing and Reporting (STAR) Program. Also authorizes and encourages school districts to solicit ideas from pupils about non-monetary incentives that might be offered locally.

Governor's Veto Message:

This bill is unnecessary since nothing in current law prohibits a district from creating their own nonmonetary incentives for students today, even in the absence of this measure.

PUPIL SERVICES

AB 68 (Dymally) – Pupil services block grant

Establishes the pupil services block grant for purposes of providing education, mental health, and social services support services to pupils in kindergarten and grades one to 12 inclusive.

Status: Assembly Education Committee

AB 173 (Dymally) – Pupils: dropout prevention: grant program

Establishes, as an urgency measure, the Dropout Prevention Model Programs and Training Grant Program to be administered by the Superintendent of Public Instruction (SPI) and requires the SPI to provide grants to schools for the development of model programs, instructional strategies, and effective practices for working with high-risk pupils and increasing pupil retention at schools and school dropout recovery programs. Transfers the amount of \$2.5 million from the funds appropriated in the *2006 Budget Act* for the pupil retention block grant program for allocation to school districts for purposes of this bill.

Status: Assembly Appropriations Committee

AB 491 (Carter) – Pupil counseling: supplemental school counseling

Changes the method of allocating funds for the Middle and High School Supplemental Counseling program from the existing per-pupil enrolled in grades seven through 12 amount, to an allocation based on the number of pupils who failed either section of the high school exit examination in the most recent grade 10 administration.

Status: Assembly Education Committee

AB 584 (Swanson) – Education

Reenacts statutes related to the Alternative Education and Work Centers for School Dropouts and Pupils at Risk (work centers) program which were repealed as a result of categorical funding reform legislation enacted in 2004 thus authorizing school districts to establish an alternative education and work center for school dropouts and pupils at risk at a continuation high school or adult school or contract with a private nonprofit community-based organization to provide the work center.

Status: Assembly Education Committee

SB 344 (Steinberg) – Pupils: drop-out prevention and intervention

Requires school districts to track and report pupils in grades 6 through 9, who meet specified criteria that identify the pupils as being at risk of dropping out. Authorizes a school district to claim supplemental instruction funds, as defined, to provide specified intervention for those pupils. The March 3, 2008 amendments changed the author to Senator Machado, deleted the contents of this bill, and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Chapter 3

SAFE SCHOOLS AND PUPIL PROTECTION

AB 86 (Lieu) – Pupil safety

Adds to the School/Law Enforcement Partnership program provisions related to bullying committed by means of an electronic act, adds a definition of “electronic act” for this purpose, and authorizes school officials to suspend or recommend for expulsion pupils who engage in bullying, including but not limited to, bullying by means of an electronic act.

Status: Chapter 646

AB 88 (Lieu) – Internet safety resources

Requires the California Department of Education (CDE) to work with the Department of Consumer Affairs to ensure that, at a minimum, the resources included in the California Cyber Safety Resource Center encompass specified information on Internet safety and requires CDE to distribute and make available the list of resources to local educational agencies. The August 29, 2008 amendments changed the author to the Committee on Budget, deleted the contents of this bill, and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Chapter 269

**AB 675 (Eng) – School safety: School Against Violence
Emergency Response Project**

Establishes the School Against Violence Emergency Response Project to assist schools recovering from a violent or traumatic interracial or intergroup conflict to institutionalize the necessary changes to minimize the chances of the events recurring, and to provide schools, teachers, parents, and administrators with the necessary resources and tools to deal with incidents of hate crime or intergroup conflict on school campuses. The January 7, 2008 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Assembly Appropriations Committee

AB 2085 (Huff) – Schools: discrimination

Deletes sexual orientation from the list of nondiscrimination obligations related to the kinds of instruction and district activities that are prohibited in schools.

Status: Assembly Education Committee

AB 2361 (Keene) – School safety: Safe School Guarantee

Redefines “safe” and “unsafe” schools and provides a parent of a public elementary or secondary school pupil the option to transfer his or her child to a safe school in the district or in another school district.

Status: Assembly Education Committee

AB 2582 (Coto) – Transfer of school records

Allows specified adult care providers who have been fingerprinted in the live scan process to permit full disclosure of their own criminal background information across multiple agencies so as to improve the ability of adults providing care in preschool, infant and toddler, and school-age child development programs to move between agencies. Also encourages qualified, experienced adult care providers to continue service with that child when a child transfers between programs.

Status: Assembly Education Committee

AB 2639 (Lieu) – School safety plans

Requires each school district or county office of education to annually submit to the California Department of Education by October 15 a report that includes a list

of schools within its jurisdiction that have and have not developed a school safety plan.

Status: Senate Appropriations Committee

AB 2762 (Eng) – Reporting harassment, discrimination or terrorist threats

Requires an employee of a school who becomes aware of an act of harassment, discrimination, or a terrorist threat that could lead to the suspension or expulsion of a pupil to report the incident to the principal in writing. Requires the written report to include a description of the incident, including any initial actions taken by school personnel and any recommendations for further action.

Status: Senate Appropriations Committee

AB 2774 (Fuller) – Education technology: internet safety policy

Requires a school district that is subject to the requirement in the federal Children's Internet Protection Act to have an Internet safety policy in place to monitor and review Internet usage on its school computers on a monthly basis and to report specified instances of Internet misconduct to the Commission on Teacher Credentialing no later than 30 days after the district becomes aware of the allegation.

Status: Assembly Education Committee

SB 1515 (Kuehl) – Pupil discipline: restraint and seclusion

Prohibits an educational provider from using chemical and mechanical restraint, limits the use of physical restraint, and prohibits the use of seclusion in schools beginning January 1, 2012 and states the intent of the Legislature to phase out and limit the use of seclusion by all educational providers until that date. Specifies that until January 1, 2012, an educational provider shall not use seclusion unless all of the specified conditions exist.

Governor's Veto Message:

The safety of California students is of the utmost importance. The California Constitution and state law provide for the protection and safety of all California students. While undue seclusion and restraints, including physical, chemical and mechanical on students are never acceptable, the provisions of this bill are too prescriptive.

Unfortunately, this bill could result in inhibiting school employees from intervening in an emergency situation and place more students at risk of potential harm. I am concerned that it may have unintended consequences that can be detrimental to the best interest of all students. I

encourage school districts to be more conscious of maintaining a fair balance between protecting the safety of all their teachers and students, while using reasonable, common sense standards in ensuring that seclusion and restraints are not overly applied in a way that may harm the welfare of specific students.

SCHOOL FACILITIES / YEAR-ROUND EDUCATION

AB 100 (Mullin & Núñez) – School facilities: per-unhoused-pupil grants

Increases the new construction and special education per-unhoused-pupil grants for the construction of new school facilities by 5% in January 2009 and 4% on January 1, 2010. Increases the special education grants by an additional 6% for any special education project that received funding between January 1, 2008 and December 31, 2008. Deletes the authority of the State Allocation Board to increase or decrease grants annually.

Governor's Veto Message:

Provisions in this bill would set an undesirable precedent by providing a retroactive increase to school district per-pupil construction grants. This provision conflicts with the full and final apportionment provision of the School Facilities Program, which requires districts to certify that the funding received is sufficient to complete the project for which the grants are intended. Furthermore, with California's current fiscal climate, it is imprudent to increase construction grants at this time, particularly considering it is uncertain when the next school bond measure may be approved by the voters.

AB 125 (Ma) – School facilities

Authorizes the independent performance audit required by Proposition 39 to include reviews of the compliance by a school district or a community college district with its bond ballot language, design and construction costs and schedules, design and construction budgets, program and construction management costs, construction change orders, claim procedures and results, payment procedures, and bidding and procurement procedures.

Governor's Veto Message:

This bill is unnecessary since it simply provides legislative authorization to include the specified issues for districts to review in its annual,

independent performance audits of local general obligation bonds. Nothing in current law prohibits a district from including these elements today, even in the absence of this measure.

AB 916 (Niello) – School facilities: Twin Rivers Unified School District

Provides the Twin Rivers Unified School District an exception to current law and regulations under the School Facility Program, which prohibit the State Allocation Board from providing funds for the construction of new schools if an application is received after classrooms are occupied.

Status: Chapter 652

AB 1062 (Ma) – School facilities: uniform standards: solar design plans

Requires the Department of General Services' (DGS) Division of State Architect, on or before January 1, 2010, to develop uniform criteria for precheck approval process for solar design plans, including structural plans and calculations, for school facility projects' compliance with existing law and regulations. Requires the DGS to complete review of solar design plan applications submitted by a school district that conform with the established criteria established by this bill within 45 calendar days of the receipt of a complete application and within 10 calendar days of the date the applicant submits a corrected application.

Status: Chapter 653

AB 1112 (Torrice) – School district & community college district bonds

Authorizes proceeds from the sale of local school bond funds to be used to acquire or construct residential rental property to house teachers and employees of the district.

Governor's Veto Message:

This bill adds the acquisition or construction of residential rental property in order to house district teachers and employees to the purposes for which a school district or community college district governing board may request voter approval to issue and sell bonds.

School districts should not add residential property management to their list of responsibilities. This broadened authority would detract from their primary responsibility of educating students. The issue of affordable housing is best addressed by the local government agencies tasked with that responsibility.

AB 1841 (Coto) – Small schools pilot program

Establishes a small school pilot program for the construction and modernization of small schools and authorizes school districts to establish small schools as defined by the bill. Authorizes up to \$200 million from the Kindergarten-University Public Education Facilities Bond Act of 2006 for this purpose.

Status: Assembly Appropriations Committee

AB 1908 (Wolk) – Sale of surplus school property: Dixon Unified School District

An urgency bill that authorizes the Dixon Unified School District (DUSD) to sell specified surplus property and to deposit the proceeds into the general fund of the school district in order to reestablish a 3% reserve. Prohibits the DUSD from eligibility for new construction funds for 10 years following the deposit of the proceeds into the general fund and specifies that any remaining funds from the sale of the property shall be exhausted for capital outlay purposes prior to any request for modernization funds. Requires the DUSD, within 10 years, to deposit into its capital outlay fund an amount equal to the amount of the proceeds from the sale of the property that is deposited into the general fund. The provisions of this bill repeal on January 1, 2021.

Status: Chapter 634

AB 1934 (Ma) – Sale of surplus school property: San Francisco Unified School District

Authorizes the San Francisco Unified School District to deposit the proceeds from the sale of surplus real property, together with any personal property located on that property, purchased entirely with local funds and sold between November 1, 2007 and October 31, 2011, inclusive, into the general fund of the school district and use the proceeds from the sale for any one-time general fund purpose.

Status: Senate Education Committee

AB 1981 (Huff) – Surplus property: Chino Valley Unified School District

Authorizes the Chino Valley Unified School District to transfer specified surplus property to the City of Chino Hills for development of a park. Requires the deed or other instrument of transfer to provide that the property shall revert to the state if the use of the property changes to a use not consistent with parks and recreation purposes, and requires the district to remit to the State Allocation

Board specified amounts to reimburse the state for funds the district received to purchase the property.

Status: Chapter 663

AB 2033 (Núñez) – School facilities: charter schools

Revises the methodology used by the California School Finance Authority (CSFA) to calculate the interest rate of loans to charter schools for the financing of school facilities. Specifically, requires the CSFA to use the lower of the following: a) the rate paid on moneys in the Pooled Money Investment Account as of the date of disbursement of the funding; or b) a rate equal to 50% of the interest rate paid by the state on the most recent sale of state general obligation bonds, and that is computed according to the true interest cost method.

Status: Chapter 273

AB 2087 (De La Torre) – School operations: multitrack year-round scheduling

Prohibits school districts from utilizing multitrack year-round scheduling beginning July 1, 2019.

Status: Assembly Appropriations Committee

AB 2113 (Anderson) – School construction: Santee School District

Provides the Santee School District eligibility to receive state school facility funds for the modernization of the Pepper Street School.

Status: Assembly Education Committee

AB 2173 (Caballero) – Public schools facility financing

Revises requirements for assessing developer fees for the construction of school facilities, including changing the criteria for triggering Level II fees from a requirement that the district has placed a local general obligation bond and received at least 50% plus one of the votes cast in the previous four years to the previous eight years and adding a new condition for triggering Level II fees for a district that has a bonding capacity of \$5 million or less. Changes the calculation of Level II fees by adding additional supplemental grants for which a district may be eligible under existing law and/or through Title 2 of the California Code of Regulations, including adjustments for project assistance for districts with an enrollment of 2,500 or less; special education; automatic fire detection, alarm and sprinkler systems; and geographic location.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 2197 (Mullin) – School facilities: certificates of participation

Requires school districts to notify the county superintendent of schools and the county auditor, and county offices of education to notify the State Superintendent of Schools at least 30 days before taking action to approve the issuance of certificates of participation and other debt instruments that are secured by real property and that do not require approval of voters.

Status: Chapter 128

AB 2332 (Furutani) – School facilities: location of schoolsites

Prohibits a school district from locating a schoolsite within 500 feet of a railyard. The April 8, 2008 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Assembly Transportation Committee

AB 2864 (De León) – School facilities: energy efficiency

Requires the State Allocation Board to review the criteria for awarding funds under the High Performance Schools Grant Program and evaluate the extent to which renewable energy technologies were included in projects funded by the program. Requires an amount equal to the savings accrued by a district as a result of the purchase, installation, and use of renewable energy components to be transferred into the capital outlay fund of the district until the total cost of the purchase and installation of the component is repaid.

Status: Assembly Appropriations Committee

AB 2936 (Mullin) – School facilities: site acquisition funding

Revises the timeframe for an appraisal of a schoolsite from six months prior to submission of an application for site acquisition supplemental funding to six months prior to the acquisition of property.

Status: Senate Appropriations Committee

AB 2965 (Krekorian) – School facilities: water toxicity assessment

Requires a school district to conduct a one-time assessment of water toxicity levels where water is available for possible human consumption in schools with plumbing that has not been updated since 1993. Requires the assessment to include, but not be limited to, a determination of the presence and amount of lead, copper, and trihalomethanes, and authorizes a school district to compete for funding from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to mitigate any contaminant identified by the assessment.

Status: Assembly Appropriations Committee

SB 658 (Romero) – School facilities: year-round school grant program

Exempts a school district that receives Year-Round School Grant Program funds in fiscal year 2007-08 from losing eligibility for state school bond funds, phases out funding over four years and sunsets the Year-Round School Grant Program on July 1, 2013. Requires the reallocation of those funds to the Charter School Facility Grant Program.

Status: Chapter 271

SB 1327 (Wyland) – Career technical education facilities program

Authorizes the required 50% local contribution for Career Technical Education Facilities program funds to include, from an outside entity, donations of eligible equipment, or labor or building materials for the construction of the project for any bond funds approved by voters after January 1, 2008.

Status: Assembly Appropriations Committee

SB 1354 (Torlakson) – School facilities: complete schools evaluation

Requires the Superintendent of Public Instruction to examine and evaluate the ability of school districts to build complete schools as approved by the California Department of Education with the funds provided by the State Allocation Board and local matching funds and report the findings to the Legislature, Governor and the State Allocation Board. Requires the evaluation to assess, among other things, the level to which schools constructed with state funding assistance met standards for educational adequacy in terms of the facilities necessary for the school district to provide its education program.

Governor's Veto Message:

This bill is unnecessary because nothing in current law prohibits the Superintendent of Public Instruction from performing the evaluation proposed in this bill. Moreover, a recent study completed this year already evaluated the adequacy of school construction grants. Therefore another evaluation would be duplicative of previous efforts.

SB 1447 (Yee) – Education finance: San Bruno Park School District

Authorizes the San Bruno Park School District (SBPSD) to encumber and expend \$1.4 million of the proceeds from the sale of the site of the former Carl Sandburg Elementary School for the 2008-09 fiscal year for any one-time General Fund (GF) purpose and requires the SBPSD to restore to the district's restricted capital outlay account the funds used for one-time GF purposes, plus interest equal to the rate earned by the Pooled Money Investment Account in annual payments commencing in the 2009-10 fiscal year, over a period not to exceed 10 years.

Governor's Veto Message:

I do not agree with provisions in this bill that would allow the San Bruno Park School District to continue to be eligible for state school facility bond funds even after it sells off property to meet its non-capital financial obligations. However, I am willing to sign a bill that provides some budgetary relief through the sale of excess property, as long as it excludes the district from applying for additional bond funds, and other conditions are met, as specified in prior bills I have signed.

SB 1552 (Margett) – State Allocation Board: reorganization

Eliminates the Office of Public School Construction under the Department of General Services and transfers the duties, functions and staff to the State Allocation Board.

Status: Assembly Appropriations Committee

SB 1556 (Ducheny) – School construction eligibility: elementary school district

Authorizes the State Allocation Board to permit an elementary school district that is located within a high school district to utilize the high school attendance area in which it is located to calculate eligibility for school facilities funding if the district meets the following conditions: 1) the elementary school district average daily attendance is greater than 20,000 pupils; 2) the elementary school district maintains at least 37 elementary schools, and the high school district maintains

at least 12 high schools; and 3) the elementary school district has geographical boundaries encompassing more than 100 square miles.

Status: Chapter 723

SB 1657 (Romero) – School facilities: needs assessment

Requires the Office of Public School Construction to create a facilities database and to conduct an inventory of public school construction needs.

Status: Assembly Appropriations Committee

SB 1672 (Steinberg) – Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of 2010

Establishes the Renewable Energy, Climate Change, Career Technical Education, and Clean Technology Job Creation Bond Act of 2010, to be operative only if approved by voters at an unspecified election in 2010 and authorizes a general obligation bond in the amount of \$2.25 billion for a grant program to construct new facilities or reconfigure existing facilities and a revolving loan fund for capital outlay projects that will house programs providing education and training to students and adults that will lead to a career in the fields of clean technology, renewable energy, or energy efficiency.

Status: Assembly Appropriations Committee

SCHOOL REFORM AND ACCOUNTABILITY

AB 2254 (Arambula) – Local educational agencies: administration

Provides, upon the existence of a fiscal emergency, for alternative calculations of funding for low performing school districts with fifty percent or more of the pupils in the district are enrolled in schools ranked in deciles 1 or 2 of the Academic Performance Index and where the school district is identified for Program Improvement under the federal No Child Left Behind Act. Also grants authority in those districts to flexibly redirect both unrestricted and restricted fiscal resources in a discretionary manner under a broad exemption from program requirements, with specified exceptions.

Status: Assembly Education Committee

AB 2438 (Price) – Schools: accountability

Aligns exit criteria for the Immediate Intervention/Underperforming Schools Program (II/USP) and the High Priority Schools Grant Program (HPSGP) by

requiring schools to meet or exceed Academic Performance Index growth targets averaged over three years for HPSGP and two years for II/USP to exit the state accountability programs.

Governor's Veto Message:

I vetoed a substantively similar bill last year. I continue to believe that the provisions in this bill could undermine the goal of achieving student academic improvement.

AB 2531 (Mendoza) – School assistance and intervention teams

Requires school assistance and intervention teams (SAIT) and district assistance intervention teams (DAIT) to include members who possess a high degree of knowledge, skills, and expertise in meeting the curriculum and instructional needs of specified pupil subgroups, including English language learners. Requires a SAIT to use procedures and tools developed specifically for improvement in language and content instruction for schools in which pupil subgroups have failed to meet Adequate Yearly Progress (AYP) or its Academic Performance Index (API) target. Requires SAIT corrective action plans to ensure that pupils have access to all core subjects and prohibits a SAIT or DAIT from eliminating primary language programs.

Status: Senate Appropriations Committee

SB 493 (Wyland) – Funding

Appropriates \$45 million in federal funds to the California Department of Education and requires that these funds be allocated to school districts recommended by the Superintendent of Public Instruction (SPI) and approved by the State Board of Education (SBE) for corrective action under the federal No Child Left Behind Act (NCLB) for the purposes of supporting the Statewide System of School Support that provides technical assistance to school districts and schools in need of improvement. Requires the SPI to award a grant of \$250,000 to school districts determined by the SPI, with the approval of the SBE, to be in need of intensive or moderate technical assistance; also requires the SPI to award the balance of the funds appropriated to school districts, based on a per pupil rate and the number of pupils qualifying for Title I assistance in that district, and determined by the SPI, with the approval of the SBE, to be in need of intensive, moderate, light, and other technical assistance. Sets a minimum award of \$50,000, based on the per pupil rate, to each school district receiving an award.

Status: Assembly Education Committee

SB 606 (Perata) – School district accountability

Makes changes in the process whereby California local education agencies (LEAs) are identified for Program Improvement (PI) corrective actions under the No Child Left Behind Act. Establishes reporting requirements and timelines that bear on all parties involved in this process; prohibits assignment of a trustee until a district assistance and intervention team (DAIT) makes its report, the LEA receives funding for this purpose, and the Superintendent of Public Instruction (SPI) issues a recommendation for appointment of a trustee; requires that an LEA identified for corrective action be subject to no more than one specified sanction in a three-year period; amends one existing sanction from the appointment of a trustee to administer the district to the appointment of a trustee with stay and rescind powers; allows the requirement for a DAIT in addition to sanctions that can be applied as corrective action for schools in PI; and requires the SPI to contract for a two-year independent evaluation of the implementation, impact, cost and effectiveness of corrective actions imposed by the SBE. This bill also makes an appropriation of \$47 million in federal funds as specified.

Status: Senate Floor

SPECIAL EDUCATION

AB 497 (Portantino) – Special education: foster children: assessment and individualized education program

Requires, notwithstanding any other provision of law, a local educational agency (LEA), once it receives a request for a special education assessment for a pupil who is placed in a rate classification level (RCL) 12, 13, or 14 group home or a community treatment facility, to complete the individualized education program (IEP) and determine whether the pupil is eligible for special education services within 30 calendar days from the date of the receipt of written consent from the person holding the right to make educational decisions for the pupil.

Status: Assembly Education Committee

AB 1503 (Huff) – High school exit exam

Revises the current waiver process for pupils with disabilities in regard to the requirement to pass the high school exit exam (HSEE) by requiring a school principal to submit a request to waive the HSEE requirement to the school district superintendent for pupils with disabilities that have passed a modified version of the exam within 60 days of receipt of the score report and requiring the district superintendent to grant the waiver if all requirements have been met.

Status: Senate Appropriations Committee

AB 1768 (Evans & Lieber) – Special education: due process hearings

Requires local educational agencies (LEAs) to continue to provide early intervention services to a child who is no longer eligible to receive those services through a regional center because that child has turned three years old during the pendency of a dispute resolution hearing, if the dispute involves an application for initial services under a preschool program serving individuals with exceptional needs between three to five years of age.

Status: Assembly Appropriations Committee

AB 1805 (Committee on Budget) – Seriously emotionally disturbed children: out-of-home placement

Authorizes payments to out-of-state, for-profit residential facilities that meet applicable licensing requirements in the state in which they are located for 24-hour, out-of-home care of a seriously emotionally disturbed child placed there pursuant to an Individualized Education Program (IEP) if specified conditions are met. Deems allowable mental health treatment and out-of-home care expenses for 24-hour care of a child classified as seriously emotionally disturbed and placed out-of-state in a for-profit residential facility as reimbursable to counties for time on or before January 1, 2009 and specifies that the State Controller may still dispute whether claims for costs exceed what is allowable. Repeals provisions related to payments for out-of-state placements as of January 1, 2011.

Governor's Veto Message:

I strongly support providing care to children with serious emotional disturbances, including the provision of care in whichever facility can best address their needs. While I support the intent and policy behind this bill, I cannot sign it in its current form because it will allow the open-ended reimbursement of claims, including claims submitted and denied prior to 2006-07. Given our state's ongoing fiscal challenges, I cannot support any bill that exposes the state General Fund to such a liability.

I would support legislation that clarifies and narrows state reimbursement for these important services to a specified time period and would ask the Legislature to work with my Administration in January to address this important issue.

AB 1872 (Coto) – Special education: autism spectrum disorders: clearinghouse

Establishes the California Autism Spectrum Disorder Clearinghouse within the California Department of Education to be administered jointly with the

Department of Developmental Services to provide evidence-based and recommended information and practices regarding the education of pupils with autism spectrum disorders.

Governor's Veto Message:

While I support the goal of making evidence-based information available to assist in educating students with Autism Spectrum Disorders, this bill is premature. It is unclear whether private funding can be secured for this purpose, as required by the bill. Programs that are established in statute without consistent funding can establish the appearance of addressing an issue, but tend to provide marginal benefit in the long run.

Given the current fiscal situation, I encourage the author to work with the Department of Developmental Services in determining the best way to meet the objective within existing resources available.

AB 2040 (Núñez) – High school exit examination

Requires the Superintendent of Public Instruction (SPI) to recommend, and the State Board of Education to select, members of a panel that will convene to make recommendations regarding alternative means for eligible pupils with disabilities to demonstrate that they have achieved the same level of academic achievement in the content standards in English language arts or mathematics, or both, required for passage of the high school exit exam (HSEE). Provides that commencing January 1, 2011, an eligible pupil with a disability who has fulfilled all of the requirements for a high school diploma except passage of the HSEE may demonstrate through alternative means that they have achieved the same level of academic achievement required for passage of the HSEE. Authorizes the SBE to extend the implementation date by up to two years if it determines that an extension is necessary for the appropriate implementation of the regulations adopted pursuant to this bill.

Status: Chapter 666

AB 2424 (Beall) – Persons with developmental disabilities: education and development

Makes several changes to the Lanterman Developmental Disabilities Services Act, and requires specified information to be given to the consumer and his or her parents or legal guardian as part of the Individual Program Plan (IPP). Requires that the IPP team be guided by the objective that a consumer with a developmental disability would prefer to live, work, and participate in inclusive and integrated settings and are entitled to do so. Establishes the Employment Opportunity Initiative which includes planning for integrated employment

opportunities for persons with developmental disabilities through the IPP. Adds requirements to the IPP review process relating to provision of information, supported living services, and integrated employment and community participation opportunities. The May 27, 2008 amendments removed provisions of the bill pertinent to the jurisdiction of the Assembly Education Committee.

Status: Senate Appropriations Committee

AB 2555 (Torrico) – Special education: initial assessment: individualized education program

Requires the existing notice of parent rights and procedural safeguards provided to parents or guardians of pupils with disabilities to include information regarding the state special schools for pupils who are deaf, hard of hearing, blind, visually impaired, or deaf-blind.

Status: Chapter 245

AB 2717 (Lieber) – Special education: due process hearings: burden of proof

Assigns the burden of proof in a special education due process hearing to the responsible local educational agency upon a determination by a hearing officer that a parent or guardian has presented a prima facie case, as specified.

Status: Senate Appropriations Committee

SB 292 (Wiggins) – Seriously emotionally disturbed children: out-of-home placement

Authorizes payments to out-of-state, for-profit residential facilities that meet applicable licensing requirements in the state in which they are located for 24-hour, out-of-home care of a seriously emotionally disturbed child placed there pursuant to an Individualized Education Program (IEP) if specified conditions are met. Deems allowable mental health treatment and out-of-home care expenses for 24-hour care of a child classified as seriously emotionally disturbed and placed out-of-state in a for-profit residential facility as reimbursable to counties for time on or before January 1, 2009 and specifies that the State Controller may still dispute whether claims for costs exceed what is allowable.

Status: Assembly Floor

SB 1446 (Romero) – High school exit examination: pupils with disabilities

Exempts eligible pupils with disabilities, until December 31, 2010, from the requirement of passing the high school exit examination as a condition of receiving a high school diploma, if those pupils do not qualify for a local waiver

and meet specified criteria. Requires school districts or state special schools that fail to grant a high school diploma to a pupil pursuant to this bill to submit certain documentation to the State Board of Education (SBE) and requires SBE to review the denial of a high school diploma to such pupils no later than at its next regularly scheduled meeting occurring at least 30 days after receiving complete documentation from the school district or state special school. The SBE is authorized to direct the school district or state special school to grant a high school diploma to a pupil if the SBE finds that the pupil meets the specified criteria. Requires each school district and state special school to report to the Superintendent of Public Instruction specified information including the number of pupils that were granted diplomas pursuant to this bill.

Governor's Veto Message:

I believe that one of the benefits of requiring the passage of the California High School Exit Exam (CAHSEE) has been to keep schools accountable to teaching all students with equal vigor. Requiring all students to meet the CAHSEE requirement for graduation provides incentive for schools to teach every student the skills needed to demonstrate basic competencies in order to earn a diploma. Therefore, I cannot sign this measure that would essentially provide a waiver for students with disabilities from passing the CAHSEE.

Instead, I am signing Assembly Bill 2040 (Nunez) to allow the state to consider whether there are other means for special education students to demonstrate that they have achieved the same academic competencies as would be measured by the CAHSEE. By doing so, I am asking the State Board of Education to examine the possibility whether a valid testing instrument can be developed for students with disabilities on a graduation-track, that has the same rigor and standard as the current CAHSEE. Ultimately, I will demand that the end result ensures that the state does not compromise the high level of expectations that we have for all our students and accountability for all our schools.

TECHNOLOGY AND DATA

AB 939 (Soto) – California Technology Assistance Project

Extends the operative and repeal date for the California Technology Assistance Program and the Statewide Educational Technology Services from January 1, 2009 to January 1, 2012.

Status: Assembly Appropriations Committee

AB 1656 (Feuer) – Pupil achievement: California Longitudinal Pupil Achievement Data System

Codifies long-standing existing practices that, for the purposes of all fiscal and data collection systems administered by the Superintendent of Public Instruction and subject to the approval of the State Board of Education (SBE), uniquely identify county offices of education, school districts, and schools that enroll kindergarten through twelfth grade students in California. Authorizes the SBE to promulgate regulations related to these existing fiscal and data collection practices. The August 6, 2008 amendments changed the author to Assemblymember Jones, deleted the contents of this bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Governor's Veto Message:

As I stated in last year's veto of a similar bill, this bill attempts to legislate in an area where the marketplace has already assigned responsibilities and liabilities that provide for the protection of consumers.

Clearly, the need to protect personal information is increasingly critical as routine commercial transactions are more and more exclusively accomplished through electronic means. However, by requiring notification even where no information was obtained improperly, this bill would likely result in significant costs to businesses and to the state. In addition, by locking in today's best practices, AB 1656 would assure that the law remains static in the face of future, unseen concerns. Moreover, this bill would create a disincentive for businesses to adhere to new, more comprehensive, industry standards.

Existing law already contains a comprehensive penalty scheme for identity theft that details with great particularity the numerous ways in which it can occur, and imposes criminal sanctions. These provisions cover both identity thieves and retailers who are complicit in their crimes. If existing penalties are inadequate to properly deter would-be identity thieves, the proper response would be to enhance these penalties.

AB 2630 (Salas) – Pupil records: privacy rights

Amends the California Education Code to conform with the federal Family Education Rights and Privacy Act (FERPA) requirements relating to the confidentiality of pupil records by restricting the authority of a school district to release pupil record information to a county elections official for the purpose of identifying eligible voters to only those pupils who have not opted out, limiting the authority of a school district to release pupil record information within the educational agency to only those individuals who have a legitimate educational interest as defined by federal law, authorizing a school district or county office of

education to participate in an interagency data system, maintained by a non-educational, governmental agency and accessible to authorized school officials, and limiting the release of pupil record information to a designated peace officer or law enforcement agency to those situations where prior written parental permission has been obtained, where the health and safety of the pupil is at immediate risk, or where a lawfully issued subpoena or court order has been obtained.

Governor's Veto Message:

While the stated intent of this bill is purported to conform state special education law to changes to the federal Individuals with Disabilities Education Act, its provisions appear to expand beyond federal requirement, and therefore could expose the State to significant reimbursable state mandate costs.

AB 2757 (DeSaulnier) – Coding system for educational institutions

Requires the Superintendent of Public Instruction to adopt regulations necessary to maintain long-standing existing practices that, for the purposes of all fiscal and data collection systems administered by the Superintendent, uniquely identify and track county offices of education, school districts, and schools that enroll kindergarten through twelfth grade students in California for enrollment, accountability, fiscal, compliance, and reporting purposes.

Governor's Veto Message:

As drafted, this bill is overly broad and would usurp the State Board of Education's (SBE) authority to approve the proposed regulations. Without SBE oversight and approval, I am concerned that this bill would allow additional data elements and reporting requirements on both public and private schools not currently required by the education code, and thus create local mandates.

AB 2955 (Duvall) – Pupil data

Authorizes the State Chief Information Officer (CIO) to manage the data of local educational agencies (LEAs) through the California Longitudinal Pupil Achievement Data System (CALPADS), and thus manage CALPADS itself; requires the CIO to establish and maintain two bureaucratic structures, an independent review board and a pupil data team, to review data requests and to make recommendations regarding the CIO's management of educational data. Also authorizes LEAs to share data through CALPADS, and requires the CIO to review and respond to all requests for data, adopt regulations, and act on

regarding policy and procedures, including the functionality of CALPADS and data requests.

Status: Assembly Education Committee

AB 2994 (Lieber and Hancock) – Pupil records: release of information

Supports the rights of parents with respect to protection of the confidentiality of pupil record information under the federal Family Education Rights and Privacy Act (FERPA) and the No Child Left Behind (NCLB) Act by requiring a school district, that requires the submission of current emergency contact information for secondary school pupils, to provide a notice in the emergency information request that informs the parent or guardian, and the pupil of their right to request that pupil record information not be released to military recruiters or institutions of higher education (IHEs) without prior written consent, and offers the parent, guardian, or pupil the ability on the emergency information request form to separately prohibit the release of pupil record information to military recruiters, IHEs, and prospective employers. Also requires that any pupil request with respect to release of information prevails over a parent or guardian request, authorizes a secondary school to administer the Armed Services Vocational Aptitude Battery (ASVAB) to pupils only if pupil information gained during testing will not be used for recruiting purposes, and requires a school to notify the local ASVAB representative of this condition at the time the school requests to administer the test.

Governor's Veto Message:

This bill is substantively similar to a bill I vetoed in 2006. I continue to believe that schools should maintain the flexibility to develop their own procedures to ensure compliance with existing state and federal laws.

SB 29 (Simitian) – Pupil attendance: electronic monitoring

Requires a public school, school district, or county office of education to notify parents or guardians, and to obtain written permission before issuing to a pupil any radio frequency identification (RFID) device that either transmits personal information remotely or enables personal information to be read remotely in order to record the school attendance of a pupil or track a pupil's location on school grounds. Also specifies the content of the parental notification, and defines personal information to be name, address, telephone number, e-mail address, date of birth, religion, ethnicity, photograph, fingerprint or other biometric identifier, school and student identification number, driver's license number, California Identification Card number, social security number, or any other unique identifier.

Governor's Veto Message:

This bill imposes additional requirements on radio frequency identification (RFID) enabled cards within public schools. I believe that schools should always be taking steps to ensure student and family privacy, and the decision of using RFID devices and any notification requirements should remain at the local level. I support parental consent and notification, and encourage school districts deciding to require consent prior to adopting the use of contactless based identification cards at their schools, to apply it equally in a way that is technology neutral - whether it is an RFID enabled card or another type of identification card.

SB 1298 (Simitian) – California education information

Requires the California Department of Education to establish a process by which local education agencies (LEA) issue, maintain, and report information using the unique Statewide Student Identifiers (SSID), being used in the California Longitudinal Pupil Achievement Data System (CALPADS), for state and federally funded center based child care and development programs, but prohibits requiring those programs to implement or maintain the SSIDs until an appropriation for this purpose is provided; requires the three public higher education systems to establish a process by which colleges and universities within those systems issue, maintain, and report information using SSIDs. Requires the State Chief Information Officer (CIO) to convene a working group of any other governmental entities that collect, report, or use individual education data that would become part of a comprehensive educational data system, to develop a strategic plan (delivered to the Legislature and Governor by September 1, 2009) for that linked data system, and to form a committee that includes school and district administrators to be advisory to the working group. Also requires the Commission on Teacher Credentialing, State Board of Education, and department to provide the CIO at no cost with non-personally identifiable individual or aggregate educational data, as specified, in an agreed upon format, in a timely manner according to an agreed upon schedule, and states legislative intent to convene a staff level working group to make recommendations related to the governance of educational data.

Status: Chapter 561

SB 1330 (Torlakson) – Education technology: Statewide Education Technology Policy Task Force

Requires the Superintendent of Public Instruction (SPI) to convene a task force for the purpose of developing recommendations for a comprehensive statewide plan to increase and enhance the level of technology used to deliver instruction in California public schools and requires the task force to address specified issues. Specifies that the plan shall be completed within one year of convening

the task force, and requires the SPI to submit the plan to the Legislature within one month of receipt of the plan.

Governor's Veto Message:

This bill is unnecessary since current law does not prohibit the Superintendent of Public Instruction from convening an internal advisory committee to update the statewide education technology plan with approval of the State Board of Education. Increasing and enhancing technology in our schools is important, but the provisions in this can be accomplished without legislation.

SB 1425 (Steinberg) – Pupil data

Develops a process, commencing July 1, 2009, for reviewing and responding to requests for aggregate or non-identifiable, individual pupil data records housed in the emerging California Longitudinal Pupil Achievement Data System (CALPADS). Requires the California Department of Education (CDE), to the extent possible under the federal Family Education Rights and Privacy Act (FERPA) to act on behalf of local education agencies (LEAs) to provide access to or protect the security of pupil data, and to establish, no earlier than July 1, 2009, an education data team to act as an institutional review board (IRB) to review and respond to data requests. Authorizes the CDE to release aggregate or non-identifiable, individual pupil data to non-profit researchers and nonprofit organizations, within the constraints of federal and state privacy law. Authorizes the CDE to charge fees to cover up to the actual cost of responding to a data request, but prohibits the imposition of fees upon any state agency excepting institutions of higher education; also authorizes LEAs to access data for its own pupils or for incoming transfer students, and to share data with other LEAs to the extent permissible under state and federal law. Defines non-identifiable, individual pupil data, for purposes of these provisions, to include data from CALPADS that is provided using the unique Statewide Student Identifiers (SSID) required under CALPADS. States legislative intent that a staff working group be convened to make recommendations related to the ability of the state to collect, transfer and use pupil record information and the state's ability to access and share such data under current federal and state law, and under the proposals of this bill.

Governor's Veto Message:

I am returning Senate Bill 1425 without my signature.

Instead, I am signing Senate Bill 1298 (Simitian), which takes the first step in specifically addressing my goal of making all existing education data more accessible in a user-friendly format to parents, policy makers,

researchers and the general public without being filtered through unnecessary bureaucratic obstacles.

This measure is premature. California must more closely examine the ability of the state to collect, transfer, and use pupil record information and the interactions between state and federal law before developing a final plan for the interaction of multiple data systems at the state and local level and developing rules to govern access to the data they hold. It would be unwise to move forward without the benefit of this analysis. With incomplete information California may initially move in a direction which later would require a costly course correction in order to achieve the functionality we ultimately hope to achieve, while responsibly protecting student and family privacy and ensuring against identity theft.

My goal is for California to eventually have a comprehensive education data system that is useful, transparent, and easily accessible for parents, teachers, administrators, and policymakers that is not mired in the bureaucratic structures that currently exist. I would sign a bill that provides for an unambiguous thoughtful structure for state and local data sharing and the administrative oversight and management of education data systems while also providing explicit privacy protections in the statute.

SB 1524 (Romero) – The California Longitudinal Pupil Achievement Data System: Asian Pacific Islander pupils

Requires the California Longitudinal Pupil Achievement Data System (CALPADS) to have the ability to collect and report disaggregated data related to Asian and Pacific Islander pupils, in order to provide a more accurate view of the academic achievement of the subgroups within that classification, and requires the California Department of Education to report this disaggregated data on its Internet Web site.

Governor's Veto Message:

This bill is unnecessary because current law already provides the State Department of Education with administrative flexibility to expand upon current demographic data categories when necessary. Furthermore, which I support publishing as much data online to help facilitate public awareness, this action does not require legislation.

SB 1592 (Perata) – School accountability: local educational agency intervention

Requires the Superintendent of Public Instruction (SPI) to establish the Data Review and Consolidation Committee (DRCC), a standing committee that replaces the existing California Longitudinal Pupil Achievement Data System (CALPADS) advisory committee and is required to meet periodically to provide general guidance to the SPI and CDE, make recommendations about data elements to be collected, review and approve (and consolidate if it chooses) requests made by the CDE to local educational agencies (LEAs) for data and reporting, consolidate and reduce duplication of the data and reporting requests made to LEAs, inform LEAs that they are not required to comply with requests for data and reporting unless the request has been approved by the DRCC. Also encourages the SPI to use existing staff and resources, and to seek non-state resources for this purpose.

Status: Assembly Floor

SB 1637 (Torlakson) – The California Technology Assistance Project

Reauthorizes the California Technology Assistance Project and the Statewide Educational Technology Services Program for a period of five years, by extending the sunset date from January 1, 2009 to January 1, 2014.

Status: Chapter 530

SB 1767 (Alquist) – Education: electronic learning assessment resources

Incorporates the California Longitudinal Pupil Achievement Data System (CALPADS) and California School Information System (CSIS) into the existing process for identification and review of electronic learning assessment resources (ELARs) used by local education agencies (LEAs) to locally manage student achievement data, and authorizes the issuance of documentation to the publisher of an ELAR certifying that its ELAR has been reviewed. Also specifies that the required review of new and existing ELARs may be performed by another entity designated by the California Department of Education, as well as by the California Learning Resource Network (CLRN).

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

THE TEACHING PROFESSION

AB 131 (Beall) – Teacher credentialing: specialist credential: pupils with autism

Authorizes, as an urgency measure, teachers with a valid level 1 or clear education specialist teaching credential to provide instruction to pupils who are three and four years of age and who have been diagnosed as autistic, if the teacher meets certain competency criteria. Sunsets these provisions on August 31, 2011.

Status: Chapter 487

AB 506 (Lieu) – School employees: leave of absence

Authorizes law enforcement agencies that have reasonable suspicion that a certificated employee of a school district has committed an offense that would result in the employee being placed on compulsory leave, to report that information to the district and to the Commission on Teacher Credentialing; and, requires a positive school board action to allow an employee on paid administrative leave to return to classroom duties.

Status: Senate Appropriations Committee

AB 1537 (Mullin) – Model civic education staff development program

Requires the Superintendent of Public Instruction (SPI) to develop and make recommendations to the Legislature and the Governor on the development of a model civic education staff development program that includes specified approaches to civic education.

Status: Assembly Appropriations Committee

AB 1761 (Fuller) – Certificated employees: probationary period

Extends the probationary period for teachers employed by school districts and county offices of education to be between 2 and 4 years for teachers whose probationary period commences during or after the 2009-10 fiscal year.

Status: Assembly Education Committee

AB 1831 (Mendoza) – Affordable housing: teachers

Requires the Department of Housing and Community Development in collaboration with the California Department of Education to report to the

Legislature and the Governor by November 15, 2009, information on existing local programs designed to help public school teachers and faculty members secure housing in the community in which they work; and, make recommendations on the feasibility of replicating successful programs.

Status: Senate Appropriations Committee

AB 1834 (Coto) – National Board Certification

Reestablishes the fee assistance program for teachers seeking national board certification using existing program funds.

Status: Assembly Education Committee

AB 1835 (Coto) – Teacher Recruitment, Induction, Support, Retention, and Improvement Program

Requires a school district that received funds in the 2008–09 fiscal year pursuant to the Quality Education Investment Act of 2006 to develop, adopt, and implement a teacher recruitment, induction, support, retention, and improvement plan; and, states the Legislature’s intent that schools and school districts invest specified moneys to develop and implement such a plan.

Status: Assembly Education Committee

AB 1871 (Coto) – Teacher credentialing: bilingual-crosscultural competence

Permits candidates for the Bilingual, Crosscultural, Language and Academic Development (BCLAD) authorization to demonstrate knowledge, skills and language proficiency by completing coursework or a combination of coursework and examinations.

Status: Chapter 660

AB 2053 (Karnette) – Adult Education: part-time teachers

Authorizes part-time adult school teachers to negotiate reappointment rights as a mandatory subject of negotiation with school districts on or after January 1, 2009.

Status: Assembly Appropriations Committee

AB 2226 (Ruskin) – Special education credentialing

Encourages institutions of higher education or local education agencies to accept coursework or field experience completed in another institution or agency; and, requires the Commission on Teacher Credentialing to convene a workgroup on the same subject and report to the Legislature by December 1, 2009.

Status: Chapter 233

AB 2302 (Bass) – Teacher credentialing: specialist credential: pupils with autism

Authorizes, as an urgency measure, teachers with a level 1 education specialist credential for mild to moderate disabilities to provide instruction to pupils with autism, if the teacher meets certain competency criteria, until the California Commission for Teacher Credentialing adopts relevant regulations; and, specifies the bill shall remain in effect for 2 years following adoption of the regulations but not later than August 31, 2011.

Status: Chapter 41

AB 2391 (Solorio) – Mathematics & Reading Professional Development Program

Authorizes teachers to fulfill 50% of the 80 hours of follow-up Math and Reading Professional Development training in data analysis and its effect on increasing pupil achievement.

Status: Chapter 239

AB 2481 (Mendoza) – Teacher salaries: Teacher Recovery Act

Establishes the Los Angeles Unified School District (LAUSD) Employee Recovery Act which requires LAUSD to reimburse certificated and classified employees for any additional income taxes payable because of an overpayment error made by the district, and would authorize the district to withhold up to half of the annual salaries or expenses of the superintendent and assistant superintendents of the district if the error rate of the total payroll is greater than one percent.

Status: Assembly Appropriations Committee

AB 2517 (Portantino) – Teacher credentialing

Establishes an educator credentialing demonstration project to assess new options for educator preparation, including programs operated by school districts, county offices of education, community-based organizations, and nongovernmental organizations. Requires the Commission on Teacher Credentialing to report on the project by January 1, 2014.

Status: Senate Appropriations Committee

AB 2544 (Mullin) – Model civic education staff development program

Requires the Superintendent of Public Instruction to develop a plan and make recommendations to the Legislature and the Governor on the development of a model civic education staff development program that includes specified approaches to civic education.

Status: Senate Appropriations Committee

SB 960 (Alquist) – Teachers: professional development: science

Expands the Mathematics and Reading Professional Development Program to include training in science, and renames the program as the California Educators' Professional Development Program. The May 12, 2008 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

Status: Assembly Transportation Committee

SB 1104 (Scott) – Teacher credentialing

Streamlines requirements for the Preliminary and Clear designated subjects career technical education teaching credential; and, makes conforming changes to the name of the Clear designated subjects adult education credential.

Status: Chapter 576

SB 1105 (Margett) – Teacher credentialing: criminal convictions

Expands the definition of "conviction" when applied to suspending or revoking educator credentials to include pleas of no contest; allows the Commission on Teacher Credentialing to make adverse action findings available to school districts for hiring purposes for five years; and, requires the Legislature to convene a workgroup to study Education Code Sections 44010, 44011, and 44424, and to report on its findings before December 1, 2009.

Status: Chapter 577

SB 1110 (Scott) – Teacher credentialing: revocation of credential

Requires the Commission on Teacher Credentialing to suspend a teaching credential when the holder's credential has been revoked by another state; and, to revoke a teaching credential when the holder's ability to associate with minors has been limited as a condition of probation.

Status: Chapter 578

SB 1186 (Scott) – Teachers

Provides exemptions from the state basic skills proficiency test requirement; modifies requirements for teacher development programs; and, makes other technical and conforming changes to statute.

Status: Chapter 518

SB 1303 (Runner) – School employees: leaves of absence

Specifies the conditions in which school employees who are placed on mandatory leaves of absence for certain drug-related offenses and who complete a drug diversion program may be compensated using accrued leave and differential pay for the period of leave, upon their return to work.

Status: Chapter 579

SB 1378 (Dutton) – Teachers: professional development

Authorizes school districts that receive professional development block grant funds to expend a portion of those funds to provide two hours of training in the prevention of youth suicide to each teacher and specifies the training shall not exceed two hours, and may occur during a regularly scheduled in-service training day, and specifies that the act is to be known as the Jason Flatt Act of 2008.

Status: Chapter 143

SB 1643 (Torlakson) – Teacher credentialing: eminence teaching credential

Authorizes county superintendents of schools to issue eminence credentials to individuals who meet specified subject matter qualifications. Limits the number of eminence credentials issued by each county office of education and sunsets the program on January 1, 2014.

Status: Assembly Appropriations Committee

SB 1660 (Romero) – Teachers: compensation

Authorizes, beginning in the 2008-09 school year, a school district to expend funds received in the professional development block grant to compensate, in a manner separate from the uniform allowance for training and service, new and existing mathematics, science and special education teachers in schools ranked in deciles 1, 2, or 3 of the Academic Performance Index, if a local education agency and the exclusive representative of credentialed employees agree. Requires a local educational agency to submit an annual educational report of

the amount of funds used pursuant to this provision to compensate mathematics, science and special education teachers.

Status: Chapter 276

SB 1677 (Scott) – Teachers: credential requirements

Requires, as an urgency measure, the Legislative Analyst's Office to convene an advisory committee and make recommendations on the preparation and professional development needs of both academic and career technical teachers to deliver course content in ways that mutually reinforce one another.

Status: Assembly Appropriations Committee

TRANSPORTATION

AB 694 (Wolk) – Home-to-school transportation: funding

Increases home-to-school-transportation funding to eligible districts through a specified formula that is equivalent to 90% of their approved home-to-school transportation costs.

Status: Assembly Appropriations Committee

ACR 114 (Fuller) – Home-to-school transportation

Requests the Superintendent of Public Instruction to convene a committee to investigate cost savings and best practices for school districts operating home-to-school transportation programs and invite representatives from the fiscal management and assistance team of districts offering home-to-school transportation and county offices of education to become members of the committee.

Status: Resolution Chapter 155

OTHER LEGISLATION

AB 1029 (Caballero) – Prisons: inmate education

Establishes the 13 member California Correctional Education Advisory Board (board) within the California Department of Corrections and Rehabilitation (CDCR) to oversee all correctional education activities and advise the Secretary of the CDCR on education programs within the department and assess and recommend other necessary educational opportunities within the correctional system, as specified. Requires the board to submit an educational report card to

the Legislature on or before January 1, 2010, addressing educational issues within the correctional system.

Status: Senate Appropriations Committee

AB 1409 (Portantino) – Pupils: concurrent enrollment in community college and secondary or elementary school

Provides that, from January 1, 2008, to December 31, 2010, inclusive, for any particular grade level, a principal may not recommend for community college summer session attendance more than 10% of the total number of pupils who completed that grade in the school year immediately prior to the time of recommendation.

Status: Senate Appropriations Committee

AB 1809 (Saldaña & Lieu) – Pupils: military families

Enacts the Interstate Compact on Educational Opportunity for Military Children. The Compact addresses the educational transition issues facing the children of active duty members of the uniformed services, members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement, and members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death; these transition issues include such key problems encountered by military families as eligibility, enrollment, placement and graduation. The Compact extends additional rights to children of military families, places requirements on state and local education agencies, grants new authorities to local education agencies, creates a state council and compact commissioner position, creates the Interstate Commission on Educational Opportunity for Military Children with the power to make rules and levy fees on all states adopting the Compact, requires all branches of state government to enforce the Compact, and is implemented when ten state adopt the Compact.

Status: Assembly Appropriations Committee

AB 1885 (Nava) – Pupil instruction: intensive instruction and services

Provides that a pupil who has not passed one or both parts of the high school exit exam (HSEE) and is receiving intensive instruction and services after completion of grade 12 shall not be counted as a dropout when a school district submits data for purposes of the California Basic Educational Data System, the school accountability report card, or any other data collection reporting requirement. Requires the Superintendent of Public Instruction to determine how pupils who failed to pass the HSEE by the end of grade 12, and who are receiving intensive supplemental instruction services, are to be accounted for

and reported for data collection purposes and to provide guidance to school districts on how to account for and report these pupils.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 1889 (Berg) – School districts: four-day school week

Authorizes the Potter Valley Community Unified School District to operate one or more schools in the school district on a four-day school week if the district complies with the instructional time requirements and other requirements for operating a four-day school week. Authorizes the State Board of Education to waive five-consecutive-day requirements for preschools, before and after school programs, independent study programs, child nutrition and food service programs, community day schools, regional occupational centers or programs, and continuation high schools operating on a four-day week. Requires the district to submit a report to the California Department of Education and the Senate and Assembly Education Committees on January 15, 2014 on the effect of the four-day school week on pupil attendance, district finances, and programs. The provisions of this bill repeal on January 1, 2015.

Status: Chapter 661

AB 1893 (Garrick) – Class size reduction

Authorizes school districts located in the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura from losing Class Size Reduction Program funding for the 2007-08 school year due to the October 2007 fires in southern California.

Status: Chapter 30

AB 2049 (Saldaña) – Public schools: children of military families

Creates an urgency statute that requires the Superintendent of Public Instruction to convene and support a task force, as specified, to review and make recommendations regarding California's adoption of the Interstate Compact on Educational Opportunity for Military Children. The Compact addresses the educational transition issues of children of military families, including such key issues encountered by military families as eligibility, enrollment, placement and graduation.

Status: Chapter 589

AB 2057 (Education Committee) – Education

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

Status: Chapter 223

AB 2086 (Huff) – Schools: parental notification: sexual orientation: gender identity

Requires a school district to send a notice to parents and guardians if a teacher proposes to include a discussion on gender identity or sexual orientation in a class other than one on comprehensive sexual health education and HIV/AIDS prevention education.

Status: Assembly Education Committee

AB 2138 (Adams) – High school graduation: requirements

Requires school districts to exempt a pupil in foster care who transfers to the district in grade 11 or 12 and would not be able to graduate from high school by his or her 19th birthday from the additional graduation coursework requirements the governing board has adopted, and requires districts to notify such pupil if any of the requirements that are waived will affect the pupil's ability to gain admission to a postsecondary educational institution.

Governor's Veto Message:

This bill attempts to create a statewide policy of exempting certain foster care students from district-specific graduation requirements. In doing so, this bill would usurp the authority of local school boards to determine the conditions under which students should be granted diplomas. Beyond the current minimum statewide requirements, local school boards have the ability to waive their own local graduation requirements based on the merit of each student's case. This bill would undermine their ability to judge each individual student's particular circumstances.

AB 2145 (Brownley) – Education finance: School and Library Improvement Block Grant: Central Office/Noninstructional Services Improvement Plan Act

Requires a school district that chooses to receive funds from the School and Library Improvement Block Grant to develop a Central Office/Noninstructional Services Improvement Plan each year.

Status: Senate Education Committee

AB 2213 (Houston) – Pupils: student work permits

Authorizes a principal of a public or private school to issue work permits or to designate another administrator to issue work permits for pupils that attend their school; and, specifies the hour limitations that apply to a work permit shall be based on the school calendar of the school the pupil attends.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

AB 2214 (Nakanishi) – Pupils: notices sent to parents

Authorizes a parent to waive the requirement that notices, reports, statements or records be sent in a primary language and instead receive materials only in English, and specifies that the school or school district is not required to comply with that request.

Governor's Veto Message:

This bill authorizes a parent to make a request to a school or school district, but then also includes a provision that would allow a school or school district to disregard that parent's request. I do not support a measure that changes the law to ostensibly provide more parental rights, but results in no tangible effect.

AB 2406 (Villines, Duvall, Fuller, Garrick & Huff) – Pupil evaluations: reading level

States legislative intent that the annual evaluation of each pupil's achievement in grade three includes a notice of whether the pupil is reading at his or her grade level, and allows, as specified, the annual evaluation to include information about parent resources that are available on the California Department of Education's Internet Web site or about locally available parent resources.

Status: Senate Rules Committee

AB 2429 (Strickland) – Extracurricular activities: Junior Reserve Officers' Training Corps programs

Prohibits a school or school district from expending state funds on any extra curricular activity, including, but not necessarily limited to cultural activities (e.g., dramatic or musical performances), field trips, and interscholastic sports events, if that school or school district prohibits Junior Reserve Officers' Training Corps (JROTC) programs from being established or conducting activities on campus, or prohibiting or hindering its pupils from participating in an off-campus JROTC program.

Status: Assembly Education Committee

AB 2489 (Arambula) – Education: code maintenance

Requires the Superintendent of Public Instruction to establish and convene an advisory committee, as specified, to identify duplicative and unnecessary sections of the Education Code, and requires the advisory committee to define the meaning of duplicative and unnecessary and to make recommendations to the Legislature by January 1, 2011.

Status: Assembly Appropriations Committee

AB 2545 (Carter) – Compulsory education: disenrollment

Prohibits a school district from preventing a pupil whose parent or guardian resides in the district from enrolling in a school of the district for any reason, including, but not limited to, a poor attendance record or low credit completion, unless the pupil has been expelled in accordance with existing law.

Status: Assembly Education Committee

AB 2567 (Leno) – Harvey Milk Day: official designation

Requires the Governor to annually proclaim May 22 as Harvey Milk Day, and adds this day to the list of days having special significance. Also encourages all public schools and educational institutions to observe this day and to conduct exercises remembering and recognizing the life of Harvey Milk, his accomplishments, and the contributions he made to this state.

Governor's Veto Message:

I respect the author's intent to designate May 22nd as "Harvey Milk Day" and a day of special significance for California public schools and educational institutions to honor Harvey Milk as an important community leader and public official in the city and county of San Francisco. However, I believe his contributions should continue to

be recognized at the local level by those who were most impacted by his contributions.

AB 2699 (Furutani) – Public employees: collective bargaining

Authorizes peace officers, in school districts employing 20 or more full-time peace officers, to join or participate in employee organizations composed solely of those peace officers.

Status: Assembly Public Employees, Retirement and Social Security Committee

AB 2808 (Garcia) – Environmentally sensitive cleaning materials

Requires public and private elementary and secondary schools to use environmentally sensitive cleaning materials no later than the 2012-2013 school year for products that have environmentally sensitive alternatives.

Status: Assembly Appropriations Committee

ACR 99 (Swanson) – School nurses: salaries

Makes findings as to the vital role that school nurses serve in delivering services to children with a variety of ailments and the collaboration school nurses provide between schools and health and human services agencies; and, urges school districts to take the steps necessary to increase school nurse salaries.

Status: Resolution Chapter 93

SB 890 (Scott) – Pupils: early commitment to college program

Establishes, until January 1, 2019, the Early Commitment to College (ECC) program as a voluntary program designed to increase college preparation for low-income pupils in Kindergarten and grades 1-12. Provides participating pupils a California Community College (CCC) fee waiver for two or more years of enrollment, as long as the pupil is a California resident and continues to show financial need on the Free Application for Federal Student Aid (FAFSA).

Status: Chapter 472

SB 946 (Scott) – Community college early assessment program

Authorizes the individual results of the California Standards Test (CST) and the CST augmented test to be provided to the office of the Chancellor of the California Community Colleges (CCC) and CCC districts so that the Early Assessment Program, established by the California State University in coordination with the State Board of Education and the California Department of

Education, may be expanded to include participation by prospective CCC students.

Status: Chapter 473

SB 1112 (Scott) – Class size reduction

Extends by five years the July 1, 2009 sunset authorizing reduced penalties for failure to meet kindergarten through grade 3 Class Size Reduction program required teacher to pupil ratio.

Status: Chapter 515

SB 1321 (Correa) – School recycling programs

Establishes the School Beverage Container Recycling Program and requires a school district, only to the extent that it does not incur costs, to consult with a local Community Conservation Corps or another recycler to obtain information in order to establish a beverage container recycling program at each school campus and public office of that school district.

Status: Assembly Appropriations Committee

SB 1322 (Lowenthal) – Communism

Deletes various references to communism in the context of using school property and the dismissal of school district, community college, and public employees. Clarifies exemptions regarding communism as part of the required oath of allegiance for public officers and employees, and offers an alternative oath of allegiance.

Governor's Veto Message:

Many Californians have fled communist regimes, immigrated to the United States and sought freedom in our nation because of the human rights abuses perpetuated in other parts of the world. It is important particularly for those people that California maintains the protections of current law. Therefore, I see no compelling reason to change the law that maintains our responsibility to ensure that public resources are not used for purposes of overthrowing the U.S. or state government, or for communist activities.

SB 1516 (Simitian) – Improvement and Public Library Construction & Renovation Bond Act of 2010

Enacts the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2010, to be operative only if approved

by the voters at the 2010 statewide general election (November 2010) and authorizes a general obligation bond in the amount of \$4 billion to finance public library construction and renovation.

Status: Assembly Appropriations Committee

SB 1545 (Romero) – Juvenile court schools

Requires the California Department of Education to develop, and the State Board of Education to adopt, regulations to implement existing provisions related to the transfer of partial or full course credit completed by a pupil while attending a public school, juvenile court school, or nonpublic, nonsectarian school or agency when a pupil transfers to another school.

Status: Assembly Appropriations Committee

SB 1638 (Alquist) – Juveniles: education

Encourages each county superintendent of schools or school district and the county chief probation officer to enter into a memorandum of understanding (MOU) or equivalent mutual agreement that includes specified provisions to support a collaborative process for meeting the educational needs of wards of the court in juvenile court schools. Prohibits the MOU or equivalent mutual agreement from ceding responsibility or authority prescribed by statute or regulation from one party to another unless mutually agreed upon by both parties.

Status: Chapter 531

SB 1735 (Romero) – Pupil instruction: school district residency requirements

Requires school districts to accept any documents and representations that reasonably provide evidence that a pupil meets residency requirements for school attendance within the district that show the name and address of the parent or guardian within the school district; and, specifies certain types of documents that shall be considered reasonable evidence.

Governor's Veto Message:

The historic delay in passing the 2008-2009 State Budget has forced me to prioritize the bills sent to my desk at the end of the year's legislative session. Given the delay, I am only signing bills that are the highest priority for California. This bill does not meet that standard and I cannot sign it at this time.

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