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# ASSEMBLY COMMITTEE ON EDUCATION

## 2009 K-12 EDUCATION LEGISLATION

### AFTER SCHOOL PROGRAMS

#### **AB 364 (Torlakson) – California After School Teacher Pipeline Program**

Establishes the California After School Teacher Pipeline (CASTP) pilot program modeled after the California School Paraprofessional Teacher Training Program (PTTP) to enable after school instructors to participate on a pilot basis in the PTTP. Requires the Commission on Teacher Credentialing (CTC) to select up to four local educational agencies to participate in the five-year pilot and award a grant to each selected applicant, not to exceed \$3,500 per CASTP participant per year, and submit a report before January 1, 2015 to the Legislature. Requires, beginning with the 2010-11 fiscal year, the California Department of Education to transfer \$150,000 from the After School Education and Safety Program's technical assistance, evaluation, training services, and local assistance funds to the CTC to implement the CASTP program.

**Status: Assembly Appropriations Committee**

#### **AB 434 (Block) – After school programs**

Reduces, for the 2009-10 and 2010-11 fiscal years, the After School Education and Safety Program required match of in cash or in-kind local funds from the applicant school district, governmental agencies, community organizations, or the private sector, from one-third of the total grant to 15% of the total grant and lowers the facilities or space usage that can count towards the local match from 25% to 15%. Provides that the cost of a program site supervisor shall be included as direct services, provided that at least 85% of the site supervisor's time is spent at the program site.

**Status: Senate Appropriations Committee**

#### **AB 983 (Skinner) – Before and after school programs**

Authorizes weekend activities in the After School Education and Safety Program. Specifies that except for programs funded by the federal 21st Century Community Learning Centers program, attendance in weekend activities shall not be included in the program's attendance report to the California Department of Education for the purpose of calculating maximum or supplemental grant levels. The September 9, 2009 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

**Status: Senate Rules Committee**

## **AB 1349 (Torlakson) – After School Education and Safety Program Act of 2002**

Creates three changes in statute related to the system for funding the After School Education and Safety Program (ASES) enacted by Proposition 49 by 1) authorizing a reduction in the continuous appropriation of funds provided for ASES that is in the same percentage as the reduction made to the Proposition 98 (Prop 98) minimum guarantee or level of funding provided under Prop 98 in any year; 2) exempting the state from incurring an obligation to provide a maintenance factor for a reduction in the continuous appropriation of ASES funds that is made under 1) above; and 3) authorizing the Legislature to provide cost of living adjustments to the maximum total direct grant amount and per pupil rates, upon which ASES funding is based, in the annual budget act.

**Status: Assembly Appropriations Committee**

## **ATHLETICS AND PHYSICAL EDUCATION**

### **AB 81 (Audra Strickland) – Interscholastic athletics: pupils in foster care**

Requires that a foster child who changes residences pursuant to a court order or decision of a child welfare worker be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities.

**Status: Chapter 76**

### **AB 100 (Price) – Pupils: Athletics: Access and Safety Program pilot project**

Extends the Pupil Athletic Access and Safety Program and specifies the program shall be implemented only to the extent that funds are appropriated in the annual Budget Act for this purpose.

**Status: Assembly Appropriations Committee**

### **AB 223 (Ma) – Physical education: Junior Reserve Officers' Training Corps**

An urgency measure that requires the San Francisco Board of Education to make Junior Reserve Officer's Training Corps (JROTC) courses available to pupils under its jurisdiction in grades 9-12, inclusive, at all schools within the district where JROTC courses were offered during the 2008-09 school year if it also makes athletic programs available to its pupils.

**Status: Assembly Appropriations Committee**

### **AB 351 (Salas) – Physical education**

Authorizes the governing board of a school district that provides California Cadet Corp.; cheer team; dance team; color guard; drill team; Junior Reserve Officer Training Corps; or marching band, as part of the regular course of study or as part of the regular school-sponsored extra curricular activities, to exempt a high



school pupil who has completed such a course or program from attending physical education (PE) courses. Specifies that any course or program that qualifies high school pupils for the exemption to include not less than 400 minutes of the PE substitution each 10 school days, and to support a course of study that includes at least seven of the eight PE content areas: effects of physical activity upon dynamic health; mechanics of body movement; aquatics; gymnastics and tumbling; individual and dual sports; rhythms and dance; team sports; and, combatives. Requires any regular course of study for which a high school pupil receives course credit and which qualifies her or him for the exemption to be taught by a certificated employee. Requires any regular school-sponsored extracurricular activity that qualifies a high school pupil for the exemption to have a certificated employee of the school district serve as the sponsor of the activity at the school site. Requires a pupil to meet satisfactorily at least five of the six standards of the physical performance test administered in any of grades 9 to 10, inclusive, to continue to be eligible in grades 11 and 12 for an exemption.

**Status: Assembly Education Committee**

### **AB 352 (Audra Strickland) – Public Records: California Interscholastic Federation**

Declares the intent of the Legislature that the California Interscholastic Federation (CIF), in consultation with the California Department of Education, comply with the California Public Records Act. Requires that when the CIF complies with the California Public Records Act requests, CIF shall protect the privacy rights of student athletes and school district personnel.

**Status: Senate Rules Committee**

### **AB 533 (Hayashi) – Training for high school coaches**

Adds new requirements to the California High School Coaching Education and Training Program for training on recognizing and managing the signs and symptoms of potentially catastrophic injuries; emergency action planning; communicating effectively with 911 emergency services; and, requires high school sports coaches to complete a coaching education program by December 31, 2010.

**Status: Assembly Appropriations Committee**

### **AB 1039 (Audra Strickland) – Interscholastic sports**

Authorizes a pupil to appeal a final decision made by the California Interscholastic Federation to suspend or terminate a pupil from participation in a sport for a violation of its codes and regulations; and, authorizes the county board of education to be the final arbiter in the matter.

**Status: Assembly Education Committee**

### **AB 1154 (Audra Strickland) – California Interscholastic Federation: notice of sanctions**

Encourages the California Interscholastic Federation and its sections, if they impose a sanction on an interscholastic team of a member school, to post online

the name of the school, the team that has been penalized, the violation that has occasioned the sanction, and a description of the sanction.

**Status: Senate Rules Committee**

### **AB 1569 (Salas) – Physical Education**

Authorizes the governing board of a school district that provides California Cadet Corp.; cheer team; dance team; color guard; drill team; Junior Reserve Officer Training Corps; or marching band, as part of the regular course of study or as part of the regular school-sponsored extra curricular activities, to exempt a high school pupil who has completed such a course or program from attending physical education (PE) courses. Specifies that any course or program that qualifies high school pupils for the exemption to include not less than 400 minutes of the PE substitution each 10 school days, and to support a course of study that includes any of the eight PE content areas: effects of physical activity upon dynamic health; mechanics of body movement; aquatics; gymnastics and tumbling; individual and dual sports; rhythms and dance; team sports; and, combatives. Requires any regular course of study for which a high school pupil receives course credit and which qualifies her or him for the exemption to be taught by a certificated employee. Requires any regular school-sponsored extracurricular activity that qualifies a high school pupil for the exemption to have a certificated employee of the school district serve as the sponsor of the activity at the school site.

**Status: Senate Rules Committee**

### **SB 248 (Oropeza) – Educational equity: Title IX**

Requires school districts to post the list of rights extended to pupils under Title IX on the district website; requires community colleges and campuses of the California State University to post the list of rights extended to pupils under Title IX in the athletic sport section of the campus website; and, requests the chancellor of each campus of the University of California to post the list of rights extended to pupils under Title IX in the athletic sport section of the campus website.

#### **Governor's Veto Message:**

I have previously signed the author's bill into law that required the posting of existing Title IX requirements on school campuses and on the California Department of Education website to help promote greater student and parental awareness of athletic equity issues in California schools. This bill is largely duplicative and unnecessary, and would result in costs that are imprudent to incur at this time.

## **ATTENDANCE, SUSPENSIONS, AND EXPULSIONS**

### **AB 796 (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 a designated representative, to be excused from school when absent for no more than 10 days per academic year. Defines "civic engagement activities" to mean volunteering to work in a community to help address a problem or interact with the institutions of representative democracy (but prohibits a demonstration or political activity from being so treated); also states that civic engagement activities may include, but are not limited to, volunteering to work at a community based non-profit organization, serving on a neighborhood association, tutoring or mentoring young children, testifying before the local city council, and appearing before a state or federal board or committee.

**Governor's Veto Message:**

While civic and other volunteer activities are beneficial to those who choose to participate, these activities should be in addition to, and not in place of, valuable classroom learning time with a qualified teacher. This bill is similar to legislation I previously vetoed. As indicated at that time, 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. Therefore, the bill is unnecessary.

**AB 837 (Torlakson) – School attendance: online education**

Relaxes the requirements placed on school districts, county offices of education (COE) and charter schools for calculating and funding average daily attendance (ADA) for pupils enrolled for the minimum day in classes that include both a classroom based setting and at least one class offered online. Specifically, this bill allows a school district, COE, or charter school to claim a full day toward ADA on the basis of a pupil's attendance in the classroom-based setting.

**Status: Assembly Appropriations Committee**

**ABX3 35 (Hagman) – Chino Valley Unified School District: minimum schoolday**

Creates an urgency statute that deems Chino Valley Unified School District to have complied with the requirements for Longer Year Incentive Funding for the 2008-09 school year, if the school district 1) operates specified schools and grade levels for ten additional schooldays, 2) maintains at least 75 attendance during those additional days, 3) reaches a side-agreement on compensation for the additional days with each local bargaining unit, 4) provides a quality educational program, as specified, during each of the additional days.

**Status: Senate Appropriations Committee**

## **CAREER AND TECHNICAL EDUCATION**

**AB 332 (Fuentes) – Work-based learning**

Provides that work-based learning opportunities for pupils may be delivered by partnership academies, regional occupational programs, and other programs.

Specifies that work-based learning opportunities may include but are not limited to, work experience education, community classrooms, cooperative career technical education programs, and job shadowing, and defines "work-based learning."

**Governor's Veto Message:**

While I am very supportive of the intent of this bill of providing students with opportunities to receive rigorous and relevant career technical education linked to real world experiences, I am concerned that this bill lacks sufficient protections to ensure that students are not solely enrolled in job opportunities that are not combined with sufficient academic coursework.

However I am directing my Administration to work with the author so that I can consider a measure that is more tightly crafted and would accomplish the goal of promoting a balanced approach towards work-based learning.

**AB 345 (Torlakson) – Regional occupational centers or programs: emancipated foster youth**

Excludes emancipated foster youth from the regional occupational center or program adult participation cap of 10% scheduled to become operative in the 2011-2012 fiscal year.

**Status: Assembly Appropriations Committee**

**AB 553 (Furutani) – Educational finance: regional occupational centers or programs**

Requires the Superintendent of Public Instruction to inform, in writing, any regional occupational center or program (ROC/P) with a rate of funding per unit of average daily attendance that is below the statewide median, that it is exempt from statutes that bear on ROC/Ps, to the extent that statute was added or amended by AB 2448 (Hancock), Chapter 572, Statutes of 2006.

**Status: Assembly Education Committee**

**SB 123 (Liu) – 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. Establishes the State Agency Partners Committee and requires this committee to be composed of the current members of the CalCRN.

**Status: Chapter 32**

**SB 253 (Wyland) – Career technical education: recognition certificates**

Authorizes a school district or county office of education to offer a pupil a career technical education (CTE) certificate if the pupil has: 1) satisfactorily completed four semester-long CTE courses that are, to the extent possible, within the same industry sector as identified in the California Career Technical Education Model

Curriculum standards adopted by the State Board of Education; 2) participated in a structured work-based learning experience related to the CTE courses; and 3) completed a culminating project related to the CTE courses. Prohibits the award of a career technical education certificate from being construed as equivalent to the award of a high school diploma or as a change to the statutory high school graduation requirements or compulsory education requirements.

**Status: Assembly Floor Inactive File**

### **SB 471 (Romero and Steinberg) – California Stem Cell and Biotechnology Education and Workforce Development Act**

Creates the California Stem Cell and Biotechnology Education and Workforce Development Act of 2009 to establish stem cell and biotechnology education and workforce development as a state priority and to promote stronger links among industry sectors, the California Institute for Regenerative Medicine (CIRM), and California public schools. Requires the California Department of Education, in consultation with the CIRM and representatives of the biotechnology industry to promote stem cell and biotechnology education and workforce development within existing programs.

**Status: Chapter 185**

### **SB 515 (Hancock) – Career technical education**

Requires, as a condition of receiving federal funds provided under the Carl D. Perkins Vocational and Applied Technology Education Act of 1998, and to the extent permitted under federal law, school districts, regional occupational centers or programs, and community college districts to demonstrate commencing with the 2012-13 fiscal year, that at least one-half of the course sequences offered are linked to high priority workforce needs. Specifies that high priority workforce needs are career sectors identified by the Labor and Workforce Development Agency or the Labor Market Information Division of the Employment Development Department, as specified.

**Status: Assembly Floor Inactive File**

### **SB 640 (Hancock) – Regional occupational centers and programs: employer advisory boards**

Requires Regional Occupational Centers and Program (ROCP) employer advisory boards to recommend appropriate methods for evaluating pupils enrolled in the program and authorizes ROCPs under corrective action to receive full funding for their adult average daily attendance above the specified limits, for a maximum of 3 years.

**Status: Chapter 58**

### **SB 747 (Romero) – Career technical education: pilot preapprentice aerospace machining program**

Establishes a pilot preapprenticeship aerospace machining program administered by the California Labor and Workforce Development Agency to provide career technical education to high school pupils in the form of machining and related curriculum that can be applied to manufacturing industries in

California including, but not limited to, aerospace manufacturing, as specified.  
**Status: Assembly Appropriations Committee**

## **CHARTER SCHOOLS, SCHOOL CHOICE AND TRANSFERS**

### **AB 284 (Garrick) – Charter schools**

Allows the governing board of a community college district to authorize a petition to establish a charter school within the county in which the district maintains a campus; authorizes a maximum of ten charter schools be accepted state-wide by the California Community Colleges; requires these charter schools to be funded directly; and, requires the California Department of Education to prepare an analysis of the program by January 1, 2013.

**Status: Assembly Education Committee**

### **AB 572 (Brownley) – Charter schools: governing boards**

Requires, commencing July 1, 2011, charter schools to comply with the same conflict of interest requirements as school districts by specifying that charter schools are subject to the Ralph M. Brown Act, the California Public Records Act; Article 4 (commencing with Section 1090) of Chapter 1 of Division 4 of Title 1 of the Government Code; and, the Political Reform Act of 1974.

**Status: Senate Floor**

### **AB 788 (Swanson) – Education finance: prohibition of transfer of funds to a charter school**

Prohibits the State Superintendent of Public Instruction or a state appointed administrator or trustee from transferring or allocating any funds appropriated to the Oakland Unified School District to a charter school located within the territorial jurisdiction of the district.

**Status: Assembly Education Committee**

### **AB 980 (Swanson) – Emergency apportionments: repayment: charter schools**

Requires charter schools located within the boundaries of a school district that is repaying an emergency apportionment to pay a prorated amount of the annual payment made by the district on the apportionment; and, directs the Superintendent of Public Instruction to deduct the prorated amount determined for each charter school pursuant to this section from the amount of general purpose entitlement funding calculated for the charter school pursuant to Section 47633 and apply the amount deducted to the outstanding balance of the applicable emergency apportionment.

**Status: Senate Education Committee**

### **AB 1146 (Knight) – Charter Schools**

Authorizes a charter school to establish one or more resource centers, meeting

spaces, or other satellite facilities located in the county in which the charter school is authorized if each of the facilities is used exclusively for the educational support of pupils who are enrolled in nonclassroom-based independent study of the charter school.

**Status: Assembly Education Committee**

### **AB 1407 (Huffman) – Pupil attendance: interdistrict transfer**

Extends the sunset date for the School District of Choice program from July 1, 2009 until July 1, 2014; and requires the California Department of Education, on or before November 1, 2010, to prepare and submit a census report to the Legislature that evaluates interdistrict transfer options within the state.

**Status: Assembly Appropriations Committee**

### **SB 108 (Walters) – Charter: Tort Claims**

Provides that no joint powers authority for risk-pooling shall refuse to admit to membership or provide coverage to a charter school, or a school district which operates a charter school, solely on the basis that it operates as a charter school.

**Status: Assembly Judiciary Committee**

### **SB 191 (Wright) – Charter schools: funding**

Limits the application of a charter school funding formula, modified in 2005, to schools that convert to charter status in unified school districts on or after July 1, 2005 and before January 1, 2010, and provides that schools converted to charter status in a unified district on or after January 1, 2010, shall be entitled to receive general purpose funding per pupil based on statewide averages of school district revenue limit funding per pupil, as is currently the case for other charter schools.

**Status: Chapter 305**

### **SB 680 (Romero) – School attendance: interdistrict transfers**

An urgency measure that extends the sunset and repeal date for the School District of Choice (DOC) program from July 1, 2009 to July 1, 2016 and January 1, 2010 to January 1, 2017, respectively; repeals the prohibition on new districts electing to become DOCs; and, requires the Legislative Analyst's Office to complete an evaluation of the DOC program and report to the Legislature by November 1, 2014. Specifies that districts of residence that have a negative budget certification, as determined by the county office of education, may limit the number of pupils transferring out in that fiscal year. Makes other substantive changes to the DOC program related to the collection and reporting of data, communications to parents, and protections for special education students seeking transfer under this program.

**Status: Chapter 198**

## **DISTRICT AND SCHOOL GOVERNANCE**

### **AB 164 (Mendoza) – School districts: compensation of district superintendents**

Commencing January 1, 2010, limits the authority of school governing boards to buy-out district superintendent contracts; and, authorizes school governing boards to provide the superintendent an alternate position in the district until the end of the contract term.

**Status: Assembly Education Committee**

### **AB 174 (Carter) – School district reorganization**

Streamlines the process for specified school district reorganizations by authorizing the county committee on school district organization to approve an eligible petition that creates 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 the California Environmental Quality Act on behalf of any or all affected school districts.

**Status: Chapter 314**

### **AB 701 (Fong) – School districts: contracts: formal bids: notices**

Changes contracting requirements that a school district must follow with respect to posting a notice calling for bids on contracts for the purchase of goods or services above \$50,000 in value.

**Status: Assembly Appropriations Committee**

### **AB 791 (Swanson) – Oakland Unified School District: governance**

Establishes a process for the return of all rights, duties and powers, including the operational areas of pupil achievement and fiscal control, to the governing board of the Oakland Unified School District (OUSD), and requires that members of the governing board of OUSD be entitled to draw compensation for their services once any operational area is returned to OUSD as a result of these provisions.

**Status: Senate Education Committee**

### **AB 972 (Audra Strickland) – School district administrative costs**

Places a limit on administrative expenditures that can be made by a school district with annual enrollment greater than 300,000 pupils, such that expenditures for administrative costs in each fiscal year are limited to no more than 5% of total budget, including monies from all fund sources. Defines administrative costs to be the sum of expenditures on general administration, instructional resources supervision and supervision of instruction, and specifies



the activities included in each of those expenditure categories; also specifies that administrative costs do not include services performed by classified employees.

**Status: Assembly Education Committee**

### **AB 1007 (Carter) – Governing boards: pupil members**

Amends current law governing the appointment of non-voting pupil members to school district governing boards by requiring the governing board of a school district maintaining one or more high schools to make its required appointment of one or more non-voting pupils to the board upon receipt of a pupil petition requesting this, within 30 days of receipt of that petition or at its next regularly scheduled meeting if no meeting is held within those 30 days. Also explicitly authorizes the governing board of a school district to create a student advisory board to assist any pupil members of the governing board in their duties, and allows the governing board to determine the structure and composition of such a board.

#### **Governor's Veto Message:**

I am unaware of any school board intentionally withholding action on a student representation petition.

### **AB 1419 (Smyth) – School districts: reorganization of large districts**

Requires the reorganization, by July 1, 2013, of any unified school district having annual enrollment on January 1, 2010 greater than 500,000 students into several school districts, where each new district may have an enrollment of no more than 50,000 pupils. Also develops a process to be followed in implementing such reorganizations.

**Status: Assembly Education Committee**

### **SB 106 (Committee on Local Government) – Local agencies: ethics training**

Adds community college districts, county boards of education, and school districts to the definition of local agencies, whose legislative body members, elected officials, or locally designated employees must receive ethics training if that agency provides any compensation or reimbursement to a member. Also requires that these members holding office as of January 1, 2010, except for those whose term of office ends before January 1, 2011, receive ethics training before January 1, 2011, and after that requires ethics training at least once every two years.

**Status: Assembly Appropriations Committee**

## **EARLY CHILDHOOD EDUCATION/KINDERGARTEN**

### **AB 315 (De Leon) – Child care and development services: alternative payment programs**

Requires the California Department of Education, in developing regulations on child care provider payments, to consider developing guidelines for Alternative Payment Programs (APPs) that address timeliness of payments to child care providers; due process and complaint process; completing attendance records; manner of issuing payments to child care providers and whether an APP may issue a single check for multiple children; timeliness of notice to providers when a child is no longer eligible to receive subsidies; and administrative recourse and penalties for late payments to child care providers.

**Status: Senate Rules Committee**

### **AB 495 (Davis) – Preschool: data collection**

Requires the California Department of Education to, by January 1, 2011, post statewide and county-level data on the availability and need of child care and child development programs for infants, toddlers, and preschoolaged children on its DataQuest Internet Web site, and requires the data to be updated no less than every two years.

**Status: Assembly Appropriations Committee**

### **AB 769 (Torres) – State preschool: ward of the juvenile court**

Expands priority for state-funded preschool programs to children who have a biological parent who is, or who has been within the previous six months, a dependent or ward of the juvenile court.

#### **Governor's Veto Message:**

This bill results in significant Proposition 98 General Fund costs pressures. Absent additional funding to support this policy shift, enacting this measure would result in denying access to state funded preschool programs to other low income families who are currently on waiting lists for subsidized care. Moreover, children of those under the jurisdiction of the juvenile court system already may access child care on a priority basis under current law, to the extent that they are at risk of abuse or neglect.

### **AB 932 (Torlakson) – Child Care Facilities Revolving Fund**

Broadens the types of projects eligible for funds from the Child Care Facilities Revolving Fund (CCFRF) and requires the California Department of Education to utilize the expertise of the child care financial intermediary program to administer the CCFRF.

**Status: Assembly Appropriations Committee**

### **AB 1195 (Brownley) – Child care: federal funds**

Requires the Child Development Policy Advisory Committee to assist the California Department of Education in the development of a plan to implement any new federal grant funds made available after March 1, 2009 for child care and development programs and early childhood education.

**Status: Assembly Appropriations Committee**

### **SCR 44 (Corbett) – Child care: legislative hearings**

Expresses the intent of the Legislature to hold one or more joint legislative hearings to review child care reimbursement rates, including current regional market rate methodology and implementation guidelines; question whether adherence to the current regional market rate system has resulted in sufficient access for working poor families; and execute any recommended changes to the current methodology.

**Status: Assembly Education Committee**

### **SCR 47 (DeSaulnier) – Child development centers and preschool: funding**

States the intent of the Legislature to increase the funding of child development centers and preschools in future years, as resources become available, in order to provide staff of Title 5 child development centers and preschools with adequate salaries and benefits, provide adequate resources to support program quality for children, and keep programs open to serve parents and children.

**Status: Assembly Education Committee**

## **ENGLISH LEARNERS/MIGRANT AND INDIAN EDUCATION**

### **AB 70 (Duvall) – English learners**

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 at least one English learner (EL) the criteria that the district uses for the reclassification of a pupil from EL to proficient in English, and requires CDE to summarize and report the information on its Internet Web site in a manner that is easily accessible to the public.

**Status: Senate Rules Committee**

### **AB 482 (Mendoza) – Instructional materials: English learners**

Requires, by December 31, 2013, the State Board of Education (SBE) to revise the reading/language arts (RLA) framework to address the needs of English learners, as specified, and requires the SBE to ensure that specified requirements are met in conducting follow-up and primary adoptions of RLA instructional materials.

**Status: Senate Appropriations Committee**

## **SB 331 (Romero) – Migrant education**

Requires the state master plan and state services delivery plan for services to migrant children, beginning with the next adoption cycle, to be developed and revised as necessary by the Superintendent of Public Instruction and the statewide parent advisory council. Requires the master plan to include the collection of individual and aggregate data for migrant pupils, as specified. Requires interpretation services at each state and regional migrant parent advisory council meeting by an individual who has received training in interpreting and who is fully fluent in English and in the language understandable to the parents.

**Status: Assembly Education Committee**

## **FINANCING SCHOOLS**

### **AB 8 (Brownley) – Education finance: working group**

Requires the Department of Finance and Legislative Analyst's Office to convene a staff-level working group to make findings and recommendations regarding alternative funding structures, a means of transitioning to a new restructured finance system as new funds become available, policy and fiscal implications of the new system, and modifications to the Standardized Account Code Structure necessary to support school-level financial reporting. Requires the working group to consider and give weight to previous efforts, including the Getting Down to Facts studies and the report of the Governor's Committee on Education Excellence, and to report its findings and recommendations to the Legislature and Governor on or before December 1, 2010.

#### **Governor's Veto Message:**

I continue to support reforming the school finance system to make it less complex and more transparent to parents, teachers, and the public. However, this bill merely authorizes the convening of yet another working group that can be accomplished without statutory authorization. I am concerned that this bill provides the appearance of activity without actually translating to achievement. The lack of urgency in voting on the substantive issues put forth in the education Special Session can be seen as yet another example of that appearance. Since nothing under current law prohibits the objectives of this bill from being met, it is unnecessary.

### **AB 60 (Coto) – Education finance: study relating to weighted pupil funding formulas**

Requires the Superintendent of Public Instruction to enter into an agreement, by March 1, 2010, with a non-profit entity or institution of higher education with extensive experience working in California education, 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, including recommendations on how that formula should be related to differing student

need. Requires the study to be completed by December 31, 2010, and prohibits the amount to be paid for the study to exceed \$150,000.

**Status: Assembly Appropriations Committee**

### **AB 71 (Duvall) – Categorical education funding: block grants**

Consolidates 65 K-12 education categorical funding programs, including those programs in block grants created by AB 825 (Firebaugh), Chapter 871, Statutes of 2004, into several clustered categorical block grants effective beginning in the 2009-10 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 267 (Torlakson) – Education finance districts: taxes**

Authorizes school districts to form education finance districts. and authorizes education finance districts, or school districts, to impose qualified special taxes, as defined, subject to approval by 2/3 vote of the qualified electors of the district. Also defines qualified special taxes to be taxes that apply uniformly to all taxpayers or all real property within the school district or education finance district except that they may include taxes that provide an exemption for taxpayers 65 years of age or older or for persons receiving Supplemental Security Income for a disability.

#### **Governor's Veto Message:**

The education finance district model proposed by this bill could allow for manipulation of parcel tax boundaries for the purpose of achieving the desired election outcome. I am concerned that voters and property owners in one county or school district could be subject to an increased special tax based on votes generated predominately in another county or school district.

### **AB 339 (Torres) – Education finance: county offices of education**

Requires the State Board of Education to include school districts, county offices of education, and other agencies deemed eligible pursuant to state and federal law in any application for federal aid to education, in any allocation of federal funds made pursuant to law, and in any rules and regulations adopted governing the allocation of those funds.

#### **Governor's Veto Message:**

This bill would redefine "school districts" to include school districts, county offices of education, and other agencies deemed eligible pursuant to state and federal law, for the purpose of allocating federal education funds. However, in its current form, I am concerned that the bill may have unintended consequences for charter schools and/or other educational agencies currently eligible for these federal funds.

### **AB 673 (Carter) – Regional occupational centers or programs: apportionments**

Requires the Superintendent of Public Instruction to allocate any negative adjustment to funding provided for regional occupational center and program (ROC/P) growth among the various ROC/Ps as an equal percentage reduction in each ROC/P's average daily attendance (ADA) cap, and makes a change to the calculation of 2009-10 prior year ADA for each ROC/P in order to implement this change to include the negative adjustment to ROC/P funding already provided for the 2008-09 fiscal year.

#### **Governor's Veto Message:**

This bill may create fiscal incentives for Regional Occupational Centers and Programs (ROC/Ps) to reduce the number of students they serve, rather than allowing districts to manage their programs based on local priorities. Furthermore, because of the categorical flexibility provided through the recent budget negotiations, the bill's focus on adjusting ROC/P enrollment caps is moot and serves no practical purpose.

### **AB 844 (Villines) – State-mandated local programs: school districts**

Establishes an alternative system for determining and providing reimbursements for costs associated with local school district programs mandated by the state. Specifically for mandates enacted on or after January 1, 2010, this bill would remove most of current statute governing mandate-related processes of the Commission on State Mandates (CSM) and the State Controller's Office, and instead requires statutory mandates to be enacted with a two-year lag and requires the CSM to develop reimbursement methodologies and cost estimates during that lag. Also requires Legislative Analyst's Office review of all mandates and exempts a school district from any penalty if, between July 1, 2010 and June 30, 2012, that school district does not comply with a state mandate and does not file a claim for reimbursement for that mandate.

**Status: Assembly Education Committee**

### **AB 851 (Brownley) – Education finance**

Consolidates four revenue limit add-ons (Meals for Needy Pupils, incentives to increase beginning teachers' salaries, Orange County bankruptcy proceedings, and inter-district transfers) into two fixed adjustments, based on 2007-08 allocations, to be included in each district's total revenue limit funding, commencing with the 2010-11 fiscal year.

Status: Chapter 374

### **AB 1583 (Committee on Education) – Education finance: School Safety Consolidated Competitive Grant**

Adds the competitive school safety grant awarded by the Superintendent of Public Instruction and the Attorney General to the existing clustered School Safety Consolidated Competitive Grant, established by AB 825 (Firebaugh), Chapter 871, Statutes of 2004, that consolidated seven historical categorical programs with over \$100 million in funding.

Status: Assembly Education Committee

### **ACR 54 (Brownley) – Education finance**

Makes findings as to the insufficient levels of funding for education in California, including the causes and impacts related to that level of funding; resolves that it is the intent of the Legislature to generate sufficient funds for, and allocate sufficient funds to, education, so as to bring per pupil spending up to or beyond the national average and to a level that accounts for the actual cost of educating California's diverse pupil population so that all pupils are prepared at the end of their elementary and secondary education experiences for college, careers, and successful participation in our democratic institutions, no matter where they live or what economic, racial, or ethnic background they have.

Status: Resolution Chapter 99

### **SB 81 (Alquist) – Regional occupational centers or programs**

Creates an urgency statute that requires that a regional occupational center or program, established and maintained by school districts acting as a joint powers agency (JPA), receive its operating funds directly from the county office of education of the county in which it is located in a manner that is consistent with the apportionments for those school districts that comprise the JPA and that are provided to the county office of education pursuant to the annual Budget Act; establishes this requirement commencing in the 2009–10 fiscal year, and makes this requirement operative in any fiscal year when a substantially similar requirement currently in law is not operative. This bill is substantially similar to SB 307 (Alquist).

#### **Governor's Veto Message:**

I am concerned that this bill runs counter to the intent of recently enacted K-12 categorical flexibility provisions that were part of the 2009-10 state budget agreement. Those provisions were included to assist K-12 schools in meeting their highest priorities in an environment of significant funding constraints.

### **SB 84 (Steinberg) – Education finance**

Requires the revenue limit reduction, enacted as part of the July 2009 Budget package and associated with capturing General Fund savings under the Quality Education and Investment Act program, to occur only when an equivalent

amount of additional federal or state funds are available to school districts or charter schools.

**Governor's Veto Message:**

The state made many tough decisions to balance the budget for 2009-10, including reducing general-purpose funding for certain local educational agencies in order to ensure the continuation of the Quality Education Investment Act (QEIA) program, which provides targeted funding to improve academic achievement in the state's lowest performing schools. The intent in making these reductions was to direct available federal resources to compensate for the reductions. This bill would delay implementation of these reductions until comparable resources are identified, but does not provide a solution.

Instead, my Administration has identified \$355 million in federal Fiscal Stabilization Funds that have been provided to the State for the purpose of restoring reductions in the 2008-09 fiscal year. As a result, California will have a plan to achieve the savings included in the 2009-10 Budget, while holding QEIA schools harmless. With this plan, it avoids the need for county offices of education to require school districts to submit revised budgets detailing the assumed revenue limit reduction that was previously anticipated. My Administration will be working with the Legislature to implement this plan.

**SB 130 (Denham) – King City Joint Union High School District**

Creates an urgency statute that appropriates five million dollars (\$5,000,000) to serve as bridge funding to allow the King City Joint Union High School District to remain solvent into the 2009-10 fiscal year and until the district is able to enter into a lease financing agreement with the I-Bank for not less than the amount necessary to repay the General Fund for the funds appropriated in this act, and not more than thirteen million dollars (\$13,000,000). Also requires the district accept numerous accompanying conditions, including the Superintendent of Public Instruction (SPI) assuming all the rights, duties, and powers of the district's governing board, the SPI appointment of an administrator to serve in the district, and the completion of a district audit conducted by the State Controller.

**Status: Chapter 20**

**SB 307 (Alquist) – Regional occupational centers or programs**

Creates an urgency statute that requires that a regional occupational center or program, established and maintained by school districts acting as a joint powers agency (JPA), receive its operating funds directly from the county office of education of the county in which it is located in a manner that is consistent with the apportionments for those school districts that comprise the JPA and that are provided to the county office of education pursuant to the annual Budget Act; establishes this requirement commencing in the 2009-10 fiscal year, and makes this requirement operative in any fiscal year when a substantially similar requirement currently in law is not operative. This bill is substantially similar to



SB 81 (Alquist).

**Status: Assembly Appropriations Committee**

## **INSTRUCTION AND CURRICULUM**

### **AB 97 (Torlakson) – School Curriculum: content standards**

Establishes a process for the review and revision of the reading/language arts and mathematics academic content standards. Requires the Superintendent of Public Instruction to convene an Academic Content and Performance Standards Review (ACPSR) panel, consisting of 13 members, for each of the two content areas. Provides that each ACPSR panel shall review the content standards and performance standards established in its particular curriculum area to ensure that the standards meet all of the specified requirements and shall recommend changes to the State Board of Education that it deems necessary.

**Status: Senate Floor Inactive File**

### **AB 156 (Jeffries) – High school curriculum**

Authorizes the governing board of a school district to offer one credit towards the required number of credits required for graduation from high school for training and certification in cardiopulmonary resuscitation or use of an automatic external defibrillator, or both.

**Status: Assembly Education Committee**

### **AB 167 (Adams) – High school graduation: local requirements: foster children**

Requires school districts to exempt a pupil in foster care from district graduation requirements that exceed state requirements if the pupil transfers to the district, or transfers from one high school to another within a district, in the 11th or 12th grade, unless the district makes a finding that the pupil is reasonably able to complete the additional requirements in time to graduate from high school while he or she remains eligible for foster care benefits pursuant to state law. Requires the district to notify and provide specified information to the pupil if the exemption granted would affect the pupil's ability to gain admission to a postsecondary education institution.

**Status: Chapter 224**

### **AB 554 (Furutani) – Graduation requirements**

Revises the existing minimum graduation coursework requirements by adding one course to the existing minimum high school graduation requirements and including career technical education as an optional course for pupils to fulfill this additional requirement. Requires schools, to the extent practicable and for purposes of requiring the additional course, to offer the courses within their existing school calendars.

**Status: Assembly Appropriations Committee**

### **AB 717 (Cook & 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. The September 10, 2009 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

**Status: Chapter 158**

### **AB 970 (Block and Bass) – California Native American curriculum**

Encourages the State Board of Education and the Curriculum Development and Supplemental Materials Commission to ensure that the history-social science framework, evaluation criteria, and instructional materials adopted in the course of the next submission cycle include information about American Indians.

**Status: Senate Rules Committee**

### **AB 1238 (Hernandez) – Advanced placement program**

Requires school districts maintaining any of grades 9 to 12 to offer Advanced Placement courses in English, history, foreign language, mathematics, and science at each school in the district.

**Status: Assembly Appropriations Committee**

### **ACR 88 (Torlakson) – Education**

Resolves that the California Task Force on Science, Technology, Engineering, and Mathematics (STEM) Education (Task Force) be established to promote the improvement of STEM education across the state, to increase legislative awareness about mathematics, science, engineering, and technology education issues, to inform legislators regarding trends in STEM education, and to raise awareness among the public regarding the distressing shortage of Californians prepared to contribute to the state's future technology workforce.

**Status: Senate Education Committee**

### **ACR 89 (Galgiani and Portantino) – Relative to Italian American Heritage Month**

Designates the month of October 2009 and every October thereafter as Italian American Heritage Month and encourages public schools to highlight and include Italian American achievements and contributions to the culture of California and to take steps to promote the inclusion of the role and contributions of Italian Americans to the culture and history of California and the United States in elementary and secondary social science textbooks during the revision process for those textbooks.

**Status: Resolution Chapter 113**

**SB 223 (Wyland) – Education: history-social science curriculum framework: financial literacy**

Requires the Curriculum Development and Supplemental Materials Commission, as part of its regular process of developing and revising curriculum frameworks, to consider and vote on whether to include financial literacy in the proposed changes to the 2015 history-social science curriculum framework.

**Status: Assembly Appropriations Committee**

**SB 234 (Wyland) – Curriculum: history-social science framework: oral histories: genocide**

Requires the Curriculum Development and Supplemental Materials Commission, as part of its regular process of developing and revising curriculum frameworks, to consider and vote on whether to include an oral history component specifically related to genocides in the proposed changes to the 2015 history-social science curriculum framework.

**Status: Assembly Appropriations Committee**

**SB 381 (Wright) – High school instruction: course of study**

Prohibits a school district from adopting a graduation requirement that commences with the 2010-11 school year and requires the completion of additional coursework to meet or exceed the requirements and prerequisites for admission to a four-year California public university unless the district also requires the completion of a sequence of at least three career and technical education courses. Specifies that this requirement shall not apply to a school district that, by June 30, 2009, has adopted graduation requirements that require the completion of all minimum coursework necessary to meet the requirements and prerequisites for admission to a four-year California public university.

**Status: Assembly Appropriations Committee**

**SB 552 (Padilla) – Schools: health education**

Requires a school district, beginning with the 2010-11 school year, that offers health classes to grade nine and ten pupils to provide at least 15 minutes of instruction on organ procurement and tissue donation. Authorizes nonprofit organ procurement organizations, including Donate Life California, to provide school districts with the information that will be provided through the 15 minutes of instruction. Requires the State Board of Education and the Curriculum Development and Supplemental Materials Commission to ensure that the health framework, evaluation criteria, and instructional materials adopted (as part of the next submission) for pupils in grades nine and ten include organ procurement and tissue donation.

**Status: Assembly Appropriations Committee**

# INSTRUCTIONAL MATERIALS

## **AB 146 (Mendoza) – Instructional materials: delivery**

Makes a publisher or manufacturer liable for damages in the amount of \$500 for each working day that an order of instructional materials is delayed beyond 60 calendar days unless there is a natural disaster, terrorist attack, act of war, or worker strike that prevents the normal transit of instructional materials, resulting in their late delivery, or if there is a delay in implementation of governing board requirements, as specified. Makes these provisions applicable to school districts that enroll 25,000 or fewer pupils.

### **Governor's Veto Message:**

This bill is unnecessary since districts of any size 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. I vetoed a similar bill last year on the same basis.

## **AB 314 (Brownley) – Instructional materials**

Extends the instructional materials (IM) purchasing requirement for school districts from two to three years following an adoption. 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 Internet Web site. Requires publishers to furnish IM in an electronic format at a price that is less than the price charged for the printed version and exempts a small publisher, as defined, from this requirement. Provides that the electronic versions of IM shall contain at least the same content as the printed version, allows for the materials to be copy-protected, and requires publishers to provide any equipment or technology associated with the use of IM free of charge to the same extent as they are provided to other states or districts in the United States. Establishes that school districts may use Instructional Materials Realignment Funds to purchase state adopted textbooks or basic IM in an electronic format, if they can ensure that each pupil will be provided with a copy of the IM to use at school and at home, as specified.

**Status: Senate Appropriations Committee**

## **AB 487 (Brownley and Anderson) – Instructional materials: sale of surplus or undistributed obsolete instructional materials**

Authorizes the State Board of Education, the governing board of a school district, or a county office of education (COE) to sell surplus or obsolete undistributed instructional materials and makes changes to the existing restrictions placed on the disposal of such materials. Requires all of the proceeds of any sale of surplus or obsolete instructional materials be made available for school districts and COEs to acquire basic instructional materials, supplemental instructional materials, or technology-based materials.

**Status: Chapter 321**

**AB 525 (Anderson) – Instructional materials: surplus or undistributed obsolete materials**

Authorizes school districts to sell surplus or obsolete instructional materials to any organization without an agreement that the materials will be used solely for educational purposes. Repeals a provision requiring an organization, agency, or institution that receives obsolete instructional materials to certify that it agrees to use the instructional materials for educational purposes and that it agrees to

make no charge of any kind to the persons to whom the organization gives or lends the instructional materials.

**Status: Assembly Education Committee**

### **AB 1374 (Brownley) – Instructional materials**

Authorizes a local governing board to use funding from the Instructional Materials Funding Realignment program to purchase technology-based instructional materials.

**Status: Assembly Education Committee**

### **AB 1398 (Blumenfield) – Technology-based materials**

Changes the definition of "technology-based materials," to include the electronic equipment required to make use of those materials only if that equipment is to be used by pupils and teachers as a learning resource and specifies that a district that is out of compliance with existing requirements to provide pupils sufficient textbooks or instructional materials is not authorized to purchase electronic equipment as specified in this bill.

**Status: Chapter 293**

### **SB 247 (Alquist) – Electronic instructional materials**

Authorizes a local governing board to use funding from the Instructional Materials Funding Realignment program to purchase state-adopted instructional materials (IM) for kindergarten and grades 1 to 8, inclusive, and state standards-aligned materials for grades 9 to 12, inclusive, in an electronic or hardbound format if it can ensure that each pupil will be provided with a copy of the IM to use at school and at home. Clarifies that providing access to the materials at school and at home does not require a local educational agency to purchase two sets of materials.

**Status: Chapter 209**

## **PUPIL HEALTH AND NUTRITION**

### **AB 95 (Torlakson) – School meals: reimbursement**

An urgency measure that appropriates \$19,500,000 to fully fund all free and reduced price meal reimbursement claims for the 2008-09 fiscal year; and, specifies the Superintendent of Public Instruction shall notify the Legislature in years when the annual funding is insufficient to fully fund all eligible reimbursement claims. The August 19, 2009 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

**Status: Assembly Rules Committee**

### **AB 426 (Hall) – Public health**

Requires the California Department of Education, in consultation with the California Department of Public Health, the California Diabetes Program, and the California Department of Health Care Services, to recommend to the Legislature

ways to address specific health-related needs of pupils on a school campus, by July 1, 2010.

**Status: Assembly Education Committee**

### **AB 1430 (Swanson) – Pupil health: licensed nurses**

Requires any necessary medication, excluding self-administered auto-injectable epinephrine or self-administered inhaled asthma medication, that is administered to a pupil during the regular schoolday, to be administered by a licensed health care professional. Specifies that nothing in the bill prohibits an individual from rendering emergency medical aid. Specifies that nothing in this section prevents unlicensed personnel from assisting pupils with medication as provided by law. Authorizes an individual designated by the parent or legal guardian, who shall not be an employee of the local educational agency, to administer medication to the pupil or otherwise assist the pupil in administration of medication as allowed by law.

**Status: Assembly Business and Professions Committee**

### **SB 212 (Florez) – Pupil health: communicable diseases**

Authorizes each school district with a high school to provide for the annual cleaning and sterilizing of wrestling equipment; and, requires the Superintendent of Public Instruction to develop information and guidelines regarding the prevention of communicable diseases at school sites.

#### **Governor's Veto Message:**

While I grappled with this issue, I came to the conclusion that nothing in current law prohibits school districts from cleaning and sterilizing wrestling equipment. Furthermore, during the time I was working diligently on providing an acceptable water plan for the Central Valley, I was able to pin down the fact that the Superintendent of Public Instruction already has the authority to develop information and guidelines regarding the prevention of communicable diseases on school campuses. Therefore, this bill is unnecessary.

The Legislature needs to wrestle with whether it will continue to pass bills like this one, that current law sufficiently addresses, or whether it will go to the mat on pressing issues such as water infrastructure, tax reform, and federal education funding.

## **PUPIL PERFORMANCE AND ASSESSMENT**

### **AB 173 (Price) – Low performing schools**

Requires the California Department of Education (CDE) to contract for the development of a new measure to replace the Academic Performance Index (API), and requires the CDE to convene a new advisory board to provide general guidance and make recommendations toward that end. Also states legislative

intent to adopt a new indicator of academic performance that measures pupil-level growth over time, replaces the API, serves state and federal accountability functions, and is ready for implementation by the 2015-16 fiscal year.

**Status: Assembly Appropriations Committee**

### **AB 429 (Brownley) – The Public Schools Accountability Act of 1999: advisory committee**

Requires the Academic Performance Index (API) advisory committee to examine and make recommendations by January 1, 2011, concerning methods for making and reporting valid comparisons of individual academic performance over time, and for making potential improvements in the API and state assessment system, so as to be able to measure and report both a student's and a school's academic growth over time.

#### **Governor's Veto Message:**

I appreciate the author's intent to address the issue of measuring annual academic achievement growth in schools. However, this bill circumvents the authority of the State Board of Education (SBE), by not providing the SBE with the authority to approve or modify the recommendations of the Public Schools Accountability Act advisory committee. I encourage the author to work with my Administration in the education Special Session to craft an acceptable measure.

### **AB 476 (Torlakson) – The Standardized Testing and Reporting Program**

Requires the Superintendent of Public Instruction (SPI) on or before April 1, 2010, to contract for a one-time independent evaluation of the Standardized Testing and Reporting (STAR) Program, and to report on that evaluation by November 1, 2010. Establishes parameters for the evaluation, requires that it make recommendations for improvements and revisions in examinations and processes in the STAR program, and requires the Academic Performance Index advisory committee to advise the SPI on the evaluation.

#### **Governor's Veto Message:**

The objectives of this bill are duplicative of work already being done by a variety of sources. Not only have there been reviews of California's standards and assessment system by the United States Department of Education's peer review process, the California Department of Education has a process which has included an independent alignment study and review of test items by various content and test development experts. Finally, this bill circumvents the State Board of Education in the selection of the independent evaluator and approving the evaluation and its recommendations.



### **AB 1130 (Solorio) – Academic performance**

States legislative intent that the Academic Performance Index advisory committee make recommendations to the Superintendent of Public Instruction and the State Board of Education concerning establishment of a methodology for measuring academic achievement by cohort to more accurately measure academic growth for schools and districts by providing the ability to determine both achievement and growth toward proficiency.

**Status: Chapter 273**

### **AB 1435 (V. Manuel Perez) – Pupil school accountability**

Requires the Academic Performance Index (API) advisory committee to make recommendations to the Superintendent of Public Instruction (SPI) by July 1, 2010, regarding the inclusion of English language development test results and English learner proficiency in the API; also requires the SPI, with the approval of the State Board of Education, to include these test results and proficiency levels and growth in the API.

#### **Governor's Veto Message:**

The Public School Accountability Act advisory committee and the Superintendent of Public Instruction already have the authority to make the recommendations specified in this bill. Therefore, this bill is unnecessary. Furthermore, the California English Language Development Test would have to be substantially revised from its current form as a diagnostic test to be a valid and reliable academic achievement test before it should be considered for inclusion in the Academic Performance Index.

### **SB 511 (Committee on Education) – Postsecondary education**

Makes conforming and technical changes to several provisions of the Education Code relating primarily to higher education. With respect to K-12 education, this bill authorizes a parent or guardian to release individual pupil test results of the Standardized Testing and Reporting program to a postsecondary educational institution for the purpose of determining readiness for college-level coursework.

**Status: Chapter 187**

## **PUPIL SERVICES**

### **AB 736 (Huber) – School-based programs: school-based motivation and maintenance program plans**

Requires an outreach consultant who enrolls in a Dropout Prevention Specialist Certificate program to complete that program within 9 months of hire.

**Status: Assembly Education Committee**

## **AB 1258 (Arambula) – Foster youth services**

Expands eligibility for countywide Foster Youth Services (FYS) programs to all foster youth by deleting a provision granting eligibility for educational support services pursuant to the FYS programs only to foster children residing in a licensed foster home or county operated juvenile detention facility. "Licensed foster home" is currently defined as a licensed foster family home, certified foster family agency home, court-specified home, or licensed care institution (group home).

**Status: Assembly Appropriations Committee**

## **SB 272 (Wiggins) – Educational counseling**

Authorizes school districts that choose to provide an educational counseling program to include in that program specific academic, career and vocational counseling as provided in the Middle and High School Supplemental Counseling program. Provides that professional development related to career and vocational counseling shall include strategies for counseling pupils pursuing postsecondary education, career technical education, multiple pathways, college, and global career opportunities, and states legislative intent regarding the role and responsibilities of counselors.

### **Governor's Veto Message:**

School district governing boards already have the authority to include the specified program requirements within its comprehensive educational counseling program. Nothing under current law prohibits a district from doing so.

## **RACE TO THE TOP**

### **ABX5 2 (Coto) – Public schools: Race to the Top application**

Requires the Governor, the Superintendent of Public Instruction, and the President of the State Board of Education to ensure that California's application for a grant under the Race to the Top fund authorized under the federal American Recovery and Reinvestment Act of 2009 includes various provisions that outline a broad vision for educational reform that is generally consistent with the conceptual intent of the program.

**Status: Assembly Education Committee**

### **ABX5 8 (Brownley) – Public schools: Race to the Top**

Proposes comprehensive changes to the Education Code consistent with the regulations and guidelines for the federal Race to the Top (RTTT) program; this bill addresses the four RTTT policy reform areas of standards and assessments, data systems to support instruction, great teachers and leaders and turning around the lowest-achieving schools.

**Status: Senate Education Committee**

## **SBX5 1 (Steinberg) – Public schools: Race to the Top**

Proposes comprehensive changes to the Education Code consistent with the regulations and guidelines for the federal Race to the Top (RTTT) program; this bill addresses the four RTTT policy reform areas of standards and assessments,

data systems to support instruction, great teachers and leaders and turning around the lowest-achieving schools.

**Status: Chapter 2, Statutes of 2009-10 Fifth Extraordinary Session**

### **SBX5 2 (Simitian) – Pupil data**

Develops a process for reviewing and responding to requests for individual pupil data records housed in the emerging pre-school through higher education statewide longitudinal educational data system, and makes other statutory changes consistent with federal Race to the Top program requirements, including that data be accessible and used to measure student success and improve instruction.

**Status: Chapter 1, Statutes of 2009-10 Fifth Extraordinary Session**

### **SBX5 4 (Romero) – Public schools: Race to the Top**

Establishes an Open Enrollment Program, which authorizes a pupil enrolled in a low achieving school, as defined, to attend any higher achieving school in the state; and establishes a Parent Empowerment Program that authorizes parents of specified schools to sign a petition requiring a local educational agency to implement a school intervention model, as specified.

**Status: Chapter 3, Statutes of 2009-10 Fifth Extraordinary Session**

## **SAFE SCHOOLS AND PUPIL PROTECTION**

### **AB 132 (Mendoza) – School safety: immigration investigations**

Specifies the following policies of the state in regards to federal immigration agents and their involvement with children in schools:

- 1) Immigration agents are not to interfere with the education of pupils in school, although nothing in the bill shall be construed to impede or restrict any lawful authority of immigration agents;
- 2) Except as required by federal and state law, school officials and employees shall not collect information or documents or inquire about the immigration status of pupils or their family members; and,
- 3) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school is encouraged to first comply with any parental instruction specific to that situation.

#### **Governor's Veto Message:**

This bill is unnecessary since the California Constitution already prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. The Constitution also states that all students and staff have the inalienable right to attend campuses which are safe, secure, and peaceful. Therefore, a codified policy statement is unnecessary.

### **AB 928 (Blakeslee) – School safety: earthquake early warning system**

Requires the California Department of Education to, in conjunction with other agencies, develop and evaluate a plan for identifying the potential to reduce injuries and loss of life among pupils and school employees by establishing an earthquake early warning system. The April 27, 2009 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

**Status: Assembly Rules Committee**

### **AB 1390 (Blumenfield) – School security and police departments: criminal activity involving firearms**

Requires the principal of a school or the principal's designee to report any incident involving the possession, sale, or otherwise furnishing of a firearm and possession of an explosive to the city police or county sheriff with jurisdiction over the school and the school security department or the school police department.

**Status: Chapter 292**

### **AB 1511 (De Leon) – Pupil safety: interagency strategies**

Authorizes a governing board of a school district or a county superintendent of schools to enter into a memorandum of understanding with a prosecuting city attorney's office or district attorney's office having filing jurisdiction over the school district to facilitate the placement of one or more prosecutors on one or more school district campuses in order to promote public safety.

**Status: Senate Floor Inactive File**

### **ACR 82 (Hall) – Public education: "Discrimination Free Zones"**

Encourages public education institutions, pre-kindergarten through university campuses, to develop and enact appropriate procedures that meaningfully address acts of discrimination that occur on campus and support tolerance and acceptance of others regardless of their race or ethnicity, religion, disability, gender, gender identity, sexual orientation, nationality, or any other characteristic that is contained in the definition of hate crimes set forth in current law.

**Status: Senate Education Committee**

### **SB 188 (Runner) – Temporary restraining orders**

Authorizes any chief administrative officer of a school or a postsecondary educational institution, or an officer or employee designated by the chief administrative officer to maintain order on the school campus or facility, to seek a temporary restraining order and an injunction, on behalf of a student and, at the discretion of the court, any number of other students, at the campus or facility where a student has suffered unlawful violence or a credible threat of violence from any individual, which can reasonably be construed to be carried out or to have been carried out at the school campus or facility. The July 2, 2009

amendments deleted the provisions of the bill affecting kindergarten through grade 12 education.

**Status: Chapter 566**

## **SCHOOL FACILITIES/YEAR-ROUND EDUCATION**

### **AB 122 (Coto) – Small schools**

Authorizes school districts to establish small schools pursuant to specified conditions and requirements, including the following enrollment sizes: in a kindergarten and grades 1 through 5 school, no fewer than 80 pupils and no more than 250 pupils; in a kindergarten and grades 1 through 8 school, no fewer than 80 pupils and no more than 450 pupils; and in a grades 6 through 12 school, no fewer than 80 pupils and no more than 400 pupils. The September 10, 2009 amendments deleted the contents of the bill and added language that is outside the jurisdiction of the Assembly Education Committee.

**Status: Assembly Floor**

### **AB 211 (Mendoza) – School facilities: classroom function locks**

Requires, on and after July 1, 2010, all new school construction projects submitted to the Division of State Architect to include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside.

**Status: Senate Appropriations Committee**

### **AB 220 (Brownley) – Education Bond**

Expresses the intent of the Legislature to enact legislation that would create a Kindergarten-University Public Education Facilities Bond Act, to become operative only if approved by the voters at the next statewide general election, and makes changes to the School Facility Program.

**Status: Assembly Education Committee**

### **AB 346 (Torlakson) – Joint-use school facilities**

Expands the types of joint-use projects authorized for funding through the Joint-Use Facilities Program to include a child health and wellness clinic, career technical building or shop, science and technology laboratory, science center with exhibits or educational program that meet current state content standards, historical or cultural education center with exhibits or educational programs that meet current state content standards, performing arts center, physical education and outdoor recreation site development, and parking facility. Authorizes the joint-use funds to construct facilities adjacent to a kindergarten and grades 1-12 schoolsite that is owned by a state or local governmental entity, specifies that a portion of the joint-use partner's contribution, up to 10% of eligible project costs, may include equipment with an average useful life expectancy of at least 10 years if the contribution is part of a career technical education joint-use project, and makes other changes related to the program. Specifies that the provisions

of this bill are operative only if voters approve an education bond for the construction and modernization of school facilities on or after January 1, 2010.

**Status: Senate Appropriations Committee**

### **AB 629 (Krekorian) – School facilities: water**

Requires a school district to, by January 1, 2012, conduct a one-time analysis of the level of lead in water in schools constructed prior to January 1, 1993. Schools with plumbing that has been completely replaced on or after January 1, 1993 are exempted. Requires testing only of water dispensed from drinking water fountains and other fixtures that are intended to convey water for human consumption. Requires the State Department of Public Health (DPH) to establish testing protocols and requires water samples to be analyzed by a laboratory that is certified by the DPH or the United States Environmental Protection Agency. Authorizes a school district to compete for funding from the Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 if the analysis reveals the presence of lead in water that is available from a drinking fountain or other fixture intended to convey water for human consumption.

**Status: Assembly Appropriations Committee**

### **AB 685 (Davis) – School facilities: gender equity**

Requires the California Department of Education (CDE) to include, as part of its review of an application for new construction plan approval, a determination of whether the proposed school facility project design, with respect to athletic facilities, would provide gender equitable access to the facility. Authorizes the CDE to convene a working group to develop guidelines and procedures for implementation of the requirements of this bill in a manner that is consistent with existing law regarding compliance with Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.) and to make any recommendations for changes that are necessary for the implementation of the requirements of this bill. Authorizes the CDE to submit a report to the chairpersons of the Assembly and Senate committees on education no later than December 31, 2010.

### **Governor's Veto Message:**

This bill creates another bureaucratic mechanism to add another layer of review to the new construction plan approval process that is unnecessary since federal law already requires that school sites provide sufficient access to all students, regardless of their gender. School districts have an incentive to ensure all of their facilities are Title IX compliant since civil remedies are available to individuals who prevail in proving a district's non-compliance with statutory and regulatory guidelines. Therefore, this bill is unnecessary.

### **AB 871 (Nestande) – Year-Round School Grant Program**

Expands eligibility for fiscal year (FY) 2008-09 Year-Round School Grant Program funds to a school district that was not eligible for funds in FY 2007-08 if the application was received on or before July 1, 2008. Specifies that the grant

shall not exceed 50% of the application's requested amount and exempts the school district from losing eligibility for state education bond funds as a result of receipt of Year-Round School Grant funds.

**Status: Assembly Appropriations Committee**

### **AB 1022 (Nava) – Surplus property: Ventura Unified School District**

Authorizes the Ventura Unified School District to deposit \$10 million of 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 before January 1, 2005, into the general fund of the school district and use the proceeds from the sale for any one-time general fund purpose.

**Status: Senate Appropriations Committee**

### **AB 1042 (Carter) – School siting and improvement**

Adds sidewalk improvements and pedestrian access to the list of improvements a school district must comply with pursuant to any city or county ordinance.

**Status: Assembly Local Government Committee**

### **AB 1080 (Skinner) – School facilities: joint occupancy**

Adds a local governmental agency, defined by the Government Code as a city, county, city and county, special district, authority, or other political subdivision of or within the state, to the list of entities with which a school district may enter into leases and agreements for the joint occupancy of real property and buildings.

**Status: Chapter 383**

### **AB 1099 (Fuller) – School facilities: Division of State Architect approvals**

Eliminates specified requirements to closeout a school facility project with the Division of State Architect (DSA), including the requirement that the contractor submit periodic reports to the DSA that the work and materials comply with the approved plans and specifications, and the requirement that the notice of completion be filed before the DSA issues a certification that the proposed school building complies with Field Act requirements.

**Status: Senate Education Committee**

### **AB 1120 (Niello) – School facilities: construction: cost containment**

Requires the Department of General Services to distribute information on the use of constructability reviews of plans and specifications used for the construction of school facilities and the potential cost savings that may be realized by the use of a constructability review. Defines "constructability review" as a cost control technique by which the project plans and specifications are reviewed by one or more professionals, including, but not limited to, mechanical, electrical, structural, and construction professionals to identify potential claim or problem areas and deficiencies in the plans and specifications that may occur as a result of errors,



ambiguities, omissions, discrepancies, and conflicts in the plans and specifications.

**Governor's Veto Message:**

I am very supportive of the author's genuine intent to control school facility construction costs. However, this bill is unnecessary, since nothing under current law prohibits the Department of General Services to distribute information or work with school districts on the use of constructability reviews when it is appropriate.

**AB 1127 (Solorio) – School facilities: automatic fire sprinkler system**

Requires, on and after July 1, 2010, a modernization school facility project that is structural in nature and is made on a multistory building or a building that has exits that open to an enclosed hallway or corridor to include an automatic fire detection, alarm, and sprinkler system. Authorizes the State Allocation Board to waive the requirement if the cost of the automatic sprinkler system is greater than 20% of the replacement cost of the building.

**Status: Assembly Appropriations Committee**

**AB 1476 (Cook) – School facilities: material inaccuracies**

Authorizes the State Allocation Board (SAB) to extend a repayment period caused by a material inaccuracy finding by up to five years if a district has received a negative certification by the county office of education and the SAB finds that the district has no facility funds available for repayment.

**Status: Assembly Appropriations Committee**

**SB 305 (Corbett) – School facilities construction: seismic mitigation**

Requires the Office of the State Architect, using existing resources, to update the inventory and report on the seismic safety of California public schools to more accurately identify building deficiencies in school facilities. Requires the State Allocation Board to use the information from this updated inventory and report to inform the development of eligibility criteria for the Seismic Mitigation Program.

**Governor's Veto Message:**

This bill would require the Office of the State Architect to update an existing report. Nothing in current law precludes this from occurring, and it is already being done.

**SB 334 (Ducheny) – School facilities: new construction grant eligibility: special education pupils**

Requires the State Allocation Board (SAB) to apply any increase made to the per-unhoused-pupil grants on or after January 1, 2010 for the construction of new school facilities to the special education per-unhoused-pupil grant amounts.

Specifies that if an increase to the regular per-unhoused-pupil grant amount differentiates among the pupil groups based on whether the pupils are elementary, middle, or high school pupils, the Office of Public School Construction shall recommend to the SAB, within 60 days of that increase, a methodology to adjust the per-unhoused-pupil grant amount for special education pupils.

**Status: Chapter 349**

### **SB 365 (Ducheny) – State Allocation Board**

Makes changes to the composition of the State Allocation Board (SAB) by adding three additional public members to be appointed by the Governor and changes the Director of Finance and Director of the Department of General Services (DGS) memberships to nonvoting positions. Transfers the duties, functions, and staff of the Office of Public School Construction within the DGS to the SAB.

**Status: Assembly Appropriations Committee**

### **SB 592 (Romero) – Charter Schools Facilities Program**

Expands the entities authorized to hold title to a school facility constructed with state education bond funds through the Charter Schools Facilities Program to include local governmental entities and charter schools. Specifies the conditions and requirements for holding title and establishes processes for disposal of the property if the facility is no longer needed for charter school purposes.

**Status: Chapter 192**

## **SCHOOL REFORM AND ACCOUNTABILITY**

### **AB 296 (Solorio) – Supplemental education services**

Establishes requirements for local educational agencies (LEAs) regarding offering supplemental educational services (SES). Requires LEAs to provide at least two methods by which parents or guardians of eligible pupils may submit completed enrollment forms. Specifies, if a LEA provides outside entities access to school facilities before school, after school, or both, the LEA shall permit SES providers the same access. Authorizes school district governing boards to limit SES provider access to school facilities, if allowing equal access is impractical due to limited space; and, requires governing boards, if they elect to limit SES access to facilities, to develop fair and transparent policies and procedures for determining which SES providers can serve pupils at each schoolsite.

**Status: Senate Appropriations Committee**

### **AB 451 (De Leon) – Education finance: The Opportunity to Learn Block Grant**

Makes changes in the support of and resources provided to local educational agencies in corrective action under the federal No Child Left Behind Act, in order to assist their efforts to improve the academic achievement of pupils in schools under their jurisdiction.

**Status: Assembly Appropriations Committee**

### **AB 518 (Mendoza) – Public School Performance Accountability Program**

Requires a school assistance and intervention team (SAIT) and a district assistance and intervention team (DAIT) to possess a high degree of knowledge, skills, and expertise in meeting the curriculum and instructional needs of prescribed pupil groups; requires SAITs and school districts conducting a self assessment, to use procedures and tools developed specifically for the improvement of language and content instruction for those pupil subgroups; requires SAITs and school districts conducting a self assessment, in developing recommendations, to ensure that pupils have access to all core subjects and include parental involvement; and, requires SAITs and DAITs to provide recommendations to improve the programs and move the school or district out of program improvement.

**Status: Assembly Appropriations Committee**

### **AB 683 (Chesbro) – Local educational agencies: program improvement**

Creates an urgency statute that provides a one-year, non-renewable federal improvement grant to local education agencies (LEAs) that are identified for corrective action and sanctions under the federal No Child Left Behind Act, but that have no schools in Program Improvement status; also requires that the amount of the grant for such LEAs be based on the median grant award for LEAs in the least severe of the categories defined by objective criteria developed by the California Department of Education and the State Board of Education.

**Status: Assembly Appropriations Committee**

### **AB 976 (Arambula) – Alternative education: accountability.**

Prohibits a school district or county office of education from enrolling a pupil in independent study if the school district or county office of education determines that the pupil is performing below average state standards. Requires that independent study shall be considered a school for purposes of the accountability system and requires that schools in the alternative accountability system receive an Academic Performance Index (API) score and be included in the API rankings. Requires the California Department of Education to create a statewide standard for granting credit to pupils attending alternative education programs.

**Status: Assembly Education Committee**

### **SB 742 (Romero) – School accountability: low-performing schools**

Establishes a new advisory committee and a process that results in the Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) jointly identifying ten 10 historically low-performing public schools in the state; also reinforces federal requirements with respect to ensuring that the local education agencies (LEAs) responsible for the oversight of an identified school are meeting federal No Child Left Behind (NCLB) notification requirements. Requires the SPI and SBE to direct each of the LEAs responsible for the

oversight of an identified school to evaluate the reasons for the designation of its identified school, and to direct those LEAs to approve at least one of three school restructuring options (taken from the five alternatives allowed under the federal No Child Left Behind Act) to be implemented in that school. The three options include: i) reopen the school as a charter school, ii) replace all or most of the school staff, or iii) enter into a contract with a private management company to operate the school. Also requires the California Department of Education to contract for an independent evaluation of the program, and sunsets these provisions on July 1, 2016.

**Status: Assembly Appropriations Committee**

## **SPECIAL EDUCATION**

### **AB 421 (Beall) – Seriously emotionally disturbed children: out-of-home placement**

Authorizes payments for 24-hour care of a child classified as seriously emotionally disturbed and placed out-of-home in an out-of-state, for-profit residential facility pursuant to special education provisions, as specified. Requires the Department of Mental Health, in collaboration with the California Mental Health Directors Association, to annually provide information to Senate and Assembly budget committees relative to in-state and out-of-state placements of children with serious emotional disturbances in nonprofit and for-profit residential facilities.

**Status: Assembly Appropriations Committee**

### **AB 661 (Torlakson) – Special education: behavioral intervention plans: mandate claim: funding**

Requires the Superintendent of Public Instruction to revise the special education funding model to provide for a permanent increase in funding and appropriates specified amounts from the General Fund for this and other purposes, as stipulated in a behavioral intervention plan (BIP) mandate claim settlement agreement. States that funds provided pursuant to the provisions of this bill shall be used exclusively for special education services and, as a first priority, for BIP services.

**Status: Assembly Appropriations Committee**

### **AB 826 (Buchanan and Bill Berryhill) – Special education: local plan areas: funding**

Changes, commencing in 2009-10, the treatment of federal funds in determining funding allocations for special education local plan areas (SELPAs); specifically, this bill removes the total amount of federal funds allocated to a SELPA from the calculation of the base special education funding entitlement for that SELPA.

**Status: Assembly Education Committee**

### **AB 1124 (Yamada) – Special education: due process hearings**

Requires local educational agencies 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. Provides that this bill shall be implemented only to the extent that the Legislature appropriates funds made available to it by the federal government pursuant to the American Recovery and Reinvestment Act of 2009 or other federal legislation similarly intended to provide higher levels of federal special education funding.

**Status: Assembly Appropriations Committee**

### **AB 1296 (Blumenfield) – Special education: nonpublic, nonsectarian schools**

Revises an existing provision for nonpublic, nonsectarian schools (NPSs) regarding non-acceptance of pupils with disabilities if the school cannot provide or ensure the provision of services outlined in the pupil's individualized education program (IEP) and instead allows an NPS to accept a pupil with disabilities if the local educational agency and the parent or guardian of the pupil agree that the pupil may be accepted when, on a temporary basis, the NPS cannot provide one or more of the services outlined in the pupil's IEP due to a shortage of qualified professionals.

**Status: Assembly Education Committee**

### **AB 1517 (Bill Berryhill) – Special education: alternative dispute resolution programs**

Requires, subject to an appropriation in the annual Budget Act or other statute, the California Department of Education to establish and administer a statewide program of grant funding to establish alternative dispute resolution programs for special education, as specified.

**Status: Assembly Appropriations Committee**

### **AB 1538 (Ma and Chesbro) – Pupil discipline: restraint and seclusion**

Prohibits the use of specified types of restraint techniques on pupils with disabilities, and authorizes an educational provider to use physical restraint in an emergency situation only if all of the specified conditions are met, unless stated otherwise in a pupil's individualized education program. Authorizes the use of physical restraint as a component of a pupil's behavioral intervention plan if all of the specified conditions are met. Specifies that if physical restraint is used as provided in this bill, the educational provider shall ensure that professional personnel and support personnel are adequately trained in behavioral or emergency interventions and procedures, as appropriate.

**Status: Assembly Floor Inactive File**

## **SB 682 (Padilla) – Individuals with exceptional needs: academic and occupational training pilot program**

Authorizes, to the extent federal funds are made available, a county office of education or a consortium of county offices of education to establish pilot programs for the purposes of providing combined academic and occupational training to secondary school pupils with autism spectrum disorders and other exceptional needs. Expresses the intent of the Legislature that the pilot program established pursuant to this bill model existing career technical education programs, including, but not limited to, partnership academies and regional occupational programs or centers, that may be tailored to meet the unique needs of pupils with autism spectrum disorders and other exceptional needs.

**Status: Assembly Appropriations Committee**

## **STAFFING AND ADMINISTRATION**

### **AB 1025 (Conway) – Schools: employees and volunteers: Activity Supervisor Clearance Certificate**

Requires non-credentialed individuals who assume a paid or volunteer position to supervise, direct, or coach a pupil activity program to obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Defines a pupil activity program as a program sponsored by or affiliated with a school district that includes interscholastic programs and extra curricular activities sponsored by a school district or a school booster club, including cheer team, drill team, dance team, and marching band.

**Status: Chapter 379**

### **AB 1231 (Portantino) – Part-time adult school teachers: collective bargaining**

Requires that the issue of earning and retaining reappointment rights for part-time adult school teachers be a mandatory subject of negotiation during collective bargaining with respect to a new or successor contract between school districts and the exclusive bargaining representative of the certificated employees of that district on or after January 1, 2010.

**Status: Assembly Appropriations Committee**

### **ABX3 32 (Silva) – School employees: layoff notices**

An urgency measure that extends the date by which school districts must notify certificated employees of the termination of their employment from May 15, 2009 to June 15, 2009; and, specifies the notice shall be before May 15 in each year thereafter.

**Status: Assembly Education Committee**

## **THE TEACHING PROFESSION**

### **AB 1 (Monning) – Teachers: program of professional growth: conflict resolution**

Authorizes an individual program of professional growth to include courses in negotiation, mediation and conflict resolution, including peer mediation training and the theory and practice of nonviolence. Specifies courses may include basic negotiation skills; communication skills, including cross-cultural communication; basic mediation and peer mediation training; and, theory and practice of nonviolence and peace building. Specifies that a teacher who elects to pursue a course in negotiation, mediation and conflict resolution, may introduce appropriate conflict resolution skills to pupils through classroom instruction.

#### **Governor's Veto Message:**

While I understand the importance of negotiation and conflict resolution skills, this bill is unnecessary since nothing under current law prohibits districts from offering these courses as part of their professional development programs.

### **AB 148 (Coto) – Commission on Teacher Credentialing: study on transformational leadership**

Requires the Commission on Teacher Credentialing (CTC) to conduct a study to recommend more effective paths to transformational leadership through the administrative services credential process for school principals and leaders. Requires the study to be conducted between July 1, 2010 and June 30, 2011; requires the CTC to report its findings to the Legislature by no later than December 31, 2011; and, repeals this code section on January 1, 2012.

**Status: Senate Rules Committee**

### **AB 239 (Brownley) – Teacher credentialing**

Requires the Commission on Teacher Credentialing (CTC) to issue a clear credential to teachers and service providers who attain certification by the National Board for Professional Teaching Standards (NBPTS); authorizes the CTC to issue an English learner certification to applicants who attain certification by the NBPTS; and, authorizes school districts to offer district intern programs in special education to teach pupils at all levels of disability.

**Status: Chapter 316**

### **AB 272 (Solorio) – Teachers: professional development**

Establishes the Leadership for English Learner Success Program for administrators and counselors to participate in professional development related to teaching English learners. Specifies an institution of higher education, a nonprofit organization specializing in English learner research or professional development, or a county office of education with demonstrated success in establishing and implementing English learner professional development programs may offer a Leadership for English Learner Success Program for

school administrators or counselors. Specifies an English Learner Success Program shall not duplicate but build upon the English learner components of the Administrator Training Program. Requires the California Department of Education to submit an evaluation report of this program to the Legislature by November 1, 2013.

**Status: Assembly Appropriations Committee**

### **AB 544 (Coto) – Teacher Certification in American Indian language instruction**

Establishes the American Indian languages credential; and, authorizes people fluent in Native American languages to teach those languages in public schools.

**Status: Chapter 324**

### **AB 794 (Hagman) – Teacher credentialing: fees**

Requires the Commission on Teacher Credentialing to waive all initial application and processing fees for out-of-state applicants for teaching credentials who relocate to California due to orders received from a branch of the United States Armed Forces that require the applicant's spouse to relocate to California.

**Status: Chapter 125**

### **AB 1223 (Block) – Teacher training: Legislative Analyst advisory committee**

Makes legislative findings and declarations relating to the educational value in both academic and career technical coursework. Requires the Legislative Analyst's Office to convene an advisory committee to determine the preparation and professional development needs of both academic and career technical teachers and to present the findings of the advisory committee to the Legislature by January 10, 2010.

**Status: Assembly Education Committee**

### **AB 1451 (Ammiano) – Teacher Credentialing**

Specifies that the term for the members of the Commission on Teacher Credentialing shall expire on December 1 of the year of expiration of the applicable term.

**Status: Assembly Education Committee**

### **SB 512 (Committee on Education) – Education**

Makes numerous non-controversial technical corrections and conforming changes to provisions of the Education Code related to teacher credentialing. Deletes inaccurate and outdated references to the Commission on Teacher Preparation and Licensing and replaces those references with the correct name, the Commission on Teacher Credentialing (CTC). Includes authorizations in the required elements of the annual report on teacher supply that the CTC submits to the Legislature and the Governor. Replaces the outdated term "fifth year of study" with "clear credential program." Replaces the outdated term "professional



clear credential" with the term "clear credential." Deletes references to commissions, committees and councils that no longer exist.

**Status: Chapter 53**

### **SB 751 (Romero) – Teacher credentials**

Streamlines the credential application process for out-of-state teachers who were prepared outside the United States and who earned a teaching credential in another state; and, establishes requirements for local education agencies that provide test preparation courses for teachers seeking a subsequent credential.

**Status: Chapter 202**

## **TECHNOLOGY AND DATA**

### **AB 72 (Duvall) – Pupil data**

Authorizes the State Chief Information Officer (CIO) to manage the data of local educational agencies through the California Longitudinal Pupil Achievement Data System (CALPADS), and thus manage CALPADS itself; also requires the CIO to establish and maintain two bureaucratic structures to review data requests and to make recommendations regarding the CIO's management of educational data. Requires the CIO to make an online query tool available to the public in order to facilitate searches of CALPADS aggregate data, and to comply with all federal privacy laws.

**Status: Assembly Education Committee**

### **AB 261 (Salas) – Pupil records: privacy rights**

Amends the California Education Code to conform with the federal Family Education Rights and Privacy Act requirements relating to the confidentiality of pupil records by changing the exceptions to the prohibition on a school district providing access to pupil record information, clarifying exceptions to this prohibition with respect to agents of the juvenile justice system, 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 been 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 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 requirements, and therefore could expose the State to significant reimbursable state mandate costs.

### **AB 678 (Hall) – Education technology**

Modifies the guidelines and criteria required for the development of district education technology plans to include the negative impacts to pupils from cyberbullying, the active use of content control software, and the responsible use by pupils of mobile communication technology. Encourages districts to partner with information technology companies and nonprofit organizations to develop tools to supplement the existing Internet safety curriculum.

**Status: Senate Appropriations Committee**

### **AB 836 (Torlakson) – Task force for education technology**

Requires the Superintendent of Public Instruction to establish and convene a task force for education technology for purposes of making preliminary recommendations on technology literacy model standards for grades 7-12, inclusive, and to address specified issues related to technology.

#### **Governor's Veto Message:**

Earlier this year, I issued an Executive Order directing the State's Chief Information Officer (CIO) to establish the Information and Communications Technology (ICT) Digital Literacy Council for the purposes of developing a California Action Plan for ICT Digital Literacy. The CIO is charged with working with stakeholders in both the education and technology fields to develop a plan to incorporate digital literacy in our schools and workforce. This bill would require the Superintendent of Public Instruction (SPI) to establish a task force for education technology, funded by private donations. The SPI does not need additional statutory authority to convene an internal task force for this purpose. Therefore, this bill is unnecessary.

### **AB 1281 (Portantino) – Pupil data: California School Racial Equality Designation Act**

Requires, commencing July 1, 2010, the California Department of Education, and any other state agency collecting data from local education agencies, to provide clear written instruction on any data collection form used to collect demographic data on race or ethnicity classifications, that "Multiracial students may select two or more."

#### **Governor's Veto Message:**

The California Department of Education has already put into place processes to update forms and instructions to accommodate the inclusion of multiracial students.

## **SB 19 (Simitian) – Education data**

Makes statutory changes, related to the collection, reporting and use of data, some of which may be necessary for California to qualify for specific one-time funding programs under the American Recovery and Reinvestment Act of 2009. These changes include deleting the current requirement that data in the California Longitudinal Teacher Integrated Data Education System not be used, either solely or in conjunction with data from the California Longitudinal Pupil Achievement Data System, for purposes of pay, promotion, sanction, or personnel evaluation of an individual teacher or groups of teachers, or of any other employment decisions related to individual teachers.

**Status: Chapter 159**

## **SB 651 (Romero) – Pupil retention**

Requires the Superintendent of Public Instruction, on or before August 1, 2011, and annually thereafter, to submit an Annual Report on Dropouts in California, that utilizes data from the California Longitudinal Pupil Achievement Data System and other available data, to the Governor, Legislature, and State Board of Education. Also requires that the report be based on recent statutory changes in the identification and tracking of high school dropouts, including newly defined drop out rates for each of grades 7 through 12, grades 9 through 12 and middle schools, and promotion rates from grade 9 to grade 10; “full year” dropout rates for alternative schools; high school exit exam passage rates, as well as other data relating to dropout or graduation; four, five and six year graduation rates, and behavioral data including suspension and expulsions, truancy rates and GED earning rates; and the percentage of high school graduates and dropouts who completed the admission requirements for California's public university systems, two or more classes in career technical education, or both.

**Status: Chapter 197**

## **OTHER LEGISLATION**

### **AB 66 (Anderson) – Pupil 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. Specifies the hour limitations that apply to a work permit shall be based on the school calendar of the school the pupil attends.

**Status: Chapter 214**

### **AB 78 (Portantino) – Pupils: concurrent enrollment in community college and secondary school**

Removes certain restrictions on concurrent enrollment and authorizes school districts to enter into partnerships with community college districts to provide high school pupils opportunities for advanced scholastic work, career technical education or other coursework at a community college campus after notifying their principal that they have exhausted all opportunities to enroll in equivalent courses in the district.

**Status: Assembly Appropriations Committee**

### **AB 343 (Saldana) – Pupils: military families**

Enacts the Interstate Compact on Educational Opportunity for Military Children, with the intent of ensuring that children of military families are afforded the same opportunities for educational success as other children and are not penalized or delayed in achieving their educational goals as they move from state to state or within a state. The Compact addresses key issues encountered by military families in the areas of eligibility, enrollment, placement, course credit and graduation, and provides for a detailed governance structure at both the state and national levels with built-in enforcement and compliance mechanisms.

**Status: Chapter 237**

### **AB 374 (Block) – Dropout acknowledgment form**

Requires the Superintendent of Public Instruction (SPI) to produce a consequences of dropping out (CDO) notice, as specified, to inform pupils of the consequences of dropping out of school prior to reaching age 18 or completing high school graduation requirements. Requires the SPI to make the CDO notice available to school districts by posting it on the California Department of Education's website.

#### **Governor's Veto Message:**

While I am supportive of efforts to prevent students from dropping out of school, the objective of this bill can be accomplished administratively by the Superintendent of Public Instruction without additional statutory authorization. Therefore, this measure is unnecessary.

### **AB 406 (Yamada) – School personnel: Classified School Employee Training Program**

Establishes the Classified School Employee Training Program for classified employees at community colleges and K-12 public schools to provide training in a number of subjects. Requires, after five years of implementation, the California Department of Education to develop, subject to review and approval by the State Board of Education, a final report for submission to the Legislature including the number of employees who received training, the effectiveness of the program, among other data.

**Status: Assembly Appropriations Committee**

### **AB 465 (Coto) – Schools: parent involvement**

Encourages school districts to review and, if appropriate, contract with nonprofit community-based organizations that meet specified criteria in order to increase parent involvement in schools. Specifies that the nonprofit community-based organization a school district is encouraged to contract with must have a proven track record and can provide evidence of its success in educating parents and building direct collaboration with school districts, administrators, and educators;

and specifies that a nonprofit community-based organization that contracts with a school district shall demonstrate and provide a culturally and linguistically competent parent involvement program using best practices that address the diversity of the school district.

**Status: Senate Rules Committee**

### **AB 534 (Duvall) – Pupils: career fairs**

Requires a school that offers a career fair to its pupils to allow military recruiters access to that career fair to the same extent that it allows other persons and entities access to the fair.

**Status: Assembly Education Committee**

### **AB 555 (Portantino and Furutani) – Community colleges: attendance by secondary school pupils**

Authorizes the Kern, Long Beach, Los Angeles, Los Rios, and San Jose-Evergreen community college districts to enter into partnerships with school districts to provide secondary school pupils who have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other program offered by the local governing board the opportunity to enroll in advanced scholastic, career-technical, or vocational coursework at the community college campus.

**Status: Assembly Appropriations Committee**

### **AB 691 (Gilmore) – Alpaugh Unified School District: four-day school week**

Authorizes the Alpaugh Unified School District (AUSD), beginning in the 2010-11 fiscal year, 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. Specifies that if any school in the AUSD operating a four-day school week fails to meet its Academic Performance Index (API) growth target for two consecutive years, the authority of that school to operate a four-day school week shall be permanently revoked. Authorizes the State Board of Education to waive minimum time and five-consecutive-day program operating 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 that operate on a four-day school week. Requires the district to submit a report to the California Department of Education, the Senate Committee on Education and the Assembly Committee on Education on or before January 15, 2015 on the effects of the program on pupil attendance, district finances, programs, API, and crime statistics. The provisions of this bill repeal on January 1, 2016.

**Status: Chapter 252**

### **AB 747 (Emmerson) – Beverage container recycling programs**

Authorizes and encourages school districts and each campus of the University of California (UC), California State University (CSU), and the California Community Colleges (CCC) to establish and maintain a beverage container recycling program in all classrooms, administrative offices, and other areas owned or leased by the school district or college campus where a significant quantity of beverage containers is generated or may be collected. Requires school districts and campuses of the UC, CSU, and CCC to attempt to cooperate with existing beverage container recycling programs, establishes definitions for "beverage container" and "beverage container recycling programs", and specifies that this bill shall not limit or supersede any other requirement of law imposing a beverage container recycling program on school districts, UCs, CSUs, or CCCs.

**Status: Senate Rules Committee**

### **AB 821 (Brownley) – Environmentally preferable cleaning and maintenance products**

Requires, by the 2011-12 school year, or when it is economically feasible, all school districts and all nonpublic elementary and secondary schools with 50 or more pupils to purchase and use exclusively environmentally preferable cleaning and cleaning maintenance products if an environmentally preferable cleaning and cleaning maintenance product exists. Establishes definitions and establishes criteria for products that meet the requirements of this bill, including approved third-party, independent certification programs. Requires a school district or school that determines that it is not economically feasible to purchase and use environmentally preferable cleaning and cleaning maintenance products by the 2011-12 school year to submit a letter to the California Department of Education and the local governing board annually until it determines that it is economically feasible to do so.

**Status: Assembly Appropriations Committee**

### **AB 868 (V. Manuel Perez) – Palo Verde Unified School District: four-day school week**

Authorizes the Palo Verde Unified School District (PVUSD) to operate one or more schools in the 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. Specifies that if any school in the PVUSD operating a four-day school week fails to meet its Academic Performance Index (API) growth target, the authority of that school to operate a four-day school week shall be permanently revoked. Authorizes the State Board of Education to waive minimum time and five-consecutive-day program operating 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 that operate on a four-day school week. Requires the district to submit a report to the California Department of Education, the Senate Committee on Education and the Assembly Committee on Education on or before January 15, 2015 on the effects of the

program on pupil attendance, district finances, programs, API, and crime statistics. The provisions of this bill repeal on January 1, 2016.

**Status: Senate Education Committee**

### **AB 974 (Strickland) – Pupil religious rights**

Enacts the Religious Viewpoints Discrimination Act to ensure that a student's voluntary expression of a religious viewpoint is treated in the same manner as a student's voluntary expression of a secular viewpoint, and requires schools to adopt a policy establishing a "limited public forum" for student speakers.

**Status: Assembly Judiciary Committee**

### **AB 1226 (Huber) – Adult education: workplace learning**

Authorizes a school district to report for state apportionments average daily attendance in classes that are not open to the general public if the classes are held in the workplace, are intended primarily to help pupils with attainment of a General Education Development credential or high school diploma, and are offered by an employee of the school district appropriately credentialed for the course being offered.

**Status: Assembly Education Committee**

### **AB 1377 (Swanson) – School districts: state receivership: audits**

Requires the Superintendent of Public Instruction (SPI) to allow a school district, that has been taken over by the SPI and that has a State Controller ordered audit conducted instead of the required annual audit, an appropriate period of time in which to address any findings from that audit before penalties are assessed for those findings.

**Status: Assembly Appropriations Committee**

### **AB 1463 (Smyth) – High school graduation: military uniforms**

Allows a pupil who has fulfilled all high school graduation requirements and is an active member of any branch of the United States armed forces to wear his or her military issued dress uniform at his or her graduation ceremony, as specified.

**Status: Chapter 296**

### **AB 1508 (Torrice) – Income and corporation taxes: lending employees to schools**

Authorizes, for tax years 2010 through 2012, businesses to take a credit equal to 25% of the amount of qualified expenses incurred in lending its employee to a Title I public school to assist in the teaching of mathematics or science. Defines qualified expenses to include expenses paid by the taxpayer for teaching supplies, class materials, equipment, and for wages paid by the employer for time spent by the employee in a Title I public school. Requires the Legislative Analyst's Office to submit a report to the Legislature evaluating the tax credit established pursuant to this section.

**Status: Assembly Appropriations Committee**

## **AB 1510 (Eng) – Parental access: oral interpreters**

Provides that a parent or guardian of a pupil who speak a language other than English has a right to bring an oral language interpreter to conferences, meetings, or proceedings held at a district building or schoolsite or sponsored by the district or school, except when doing so would conflict with state or federal law. Specifies that nothing in this bill requires school districts to bear the costs of oral language interpreters brought by parents, or reduces or eliminates any existing duties of a school district under state or federal law to provide a language interpreter.

### **Governor's Veto Message:**

Nothing under current law prohibits a parent or guardian of English learning students from bringing an oral language interpreter to conferences, meetings, or proceedings that are held at a school site or district building, at their own expense. Therefore, this bill is unnecessary.

## **SB 193 (Lowenthal) – Class size reduction: Long Beach Unified School District**

Authorizes the Superintendent of Public Instruction to approve Kindergarten through grade 3 class size reduction funding for the Long Beach Unified School District for the 2009-10, 2010-11 and 2011-12 school years despite exceeding required teacher-to-pupil ratios if the increase in teacher-to-pupil ratio is due to a fire in May 2007. The provisions of this bill become inoperative on July 1, 2012 and are repealed on January 1, 2013.

### **Governor's Veto Message:**

This bill is premature, and therefore unnecessary at this time, since the Long Beach Unified School District has not received a reduction in its K-3 Class Size Reduction (CSR) program funding level. I have previously supported legislation that held districts harmless for loss of CSR funding due to unexpected fires that have disrupted operations at certain schools. However, this bill sets a precedent by providing a hold harmless provision of CSR funding prospectively. In the event there are school closures during the 2009-10 through 2011-12 school years, legislation can be considered at that time.

## **SB 312 (Romero) – Public meetings and hearings**

Requires the State Board of Education and the State Allocation Board to provide for the live audio-video transmission of all open meetings and hearings through a technology that is accessible to as large a segment of the public as possible, including television or web-cast transmission. Also requires these boards to ensure that any web cast transmission may be transmitted over and accessed through the K-12 High-Speed Network, and to consult with the State Chief Information Officer for the purposes of implementing these provisions.

**Status: Chapter 179**



## **SB 315 (Liu) – Pupil safety: walking schoolbus**

Authorizes the governing board of a school district to establish and maintain a walking schoolbus in any of the schools of the district for the purpose of ensuring the safe passage of pupils to and from school. Defines a "walking schoolbus" as a group of pupils walking to or from school with one or more supervising adults. Specifies that "adults" include parents, guardians, or teachers of a pupil who are participating in the walking schoolbus.

### **Governor's Veto Message:**

This is potentially one of the least substantive education bills approved by the Legislature this year. This bill authorizes a school district to establish and maintain a "walking school bus" defined as a group of students walking to or from school under the supervision of an adult. Nothing under current law prohibits a district from allowing students to walk to and from school as a group under the supervision of an adult. Common sense should not require Legislative authorization.

## **SB 509 (Committee on Education) – Education**

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

**Status: Chapter 303**

## **SB 520 (Pavley) – High school curriculum: volunteer service**

Authorizes a school district to offer credit in an amount that is equivalent to that of a one-semester elective course in that district for hours of community service provided outside of regular school hours by a high school pupil. Requires a school district that elects to offer credit for community service provided by a pupil to offer such credit in an amount that may be equal to or greater than 60 hours per semester, as determined by the district, for a maximum of any two semesters that the pupil attends high school.

### **Governor's Veto Message:**

It is important to instill in our youth the value and importance of service and volunteerism. Service and volunteerism provide all Californians an opportunity to participate in building and strengthening our state and local communities. I believe in the power of volunteerism so much that I created the first-in-the-nation state cabinet level Secretary of Service and Volunteering.

However, this bill is too prescriptive and may result in less schools opting to provide the volunteer opportunities for credit. Ultimately, current law already provides the authority for school districts to allow volunteer service credits for their students in a manner that they deem most appropriate for their local communities.

## **SB 572 (Leno) – Harvey Milk Day: official designation**

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

**Status: Chapter 626**

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