

1997 EDUCATION LEGISLATION

END OF SESSION REPORT

Assembly Education Committee *Kerry Mazzoni, Chair*

AB 18 (Mazzoni): Meeting the Demand for Teachers. This law increases the supply of qualified teachers by waiving the earnings limit on retired teachers for up to three years for those teachers whose employment is necessary to meet the objectives of CSR. Currently, retired teachers may not earn more than \$17,850 and still receive a full retirement allowance from the STRS. This bill allows a teacher to earn a full salary and retain his or her retirement for up to three years. In addition, it expands availability of the existing District Intern Program to all districts. The existing program allows only those districts, which certify to the CTC that there is an insufficient number of fully credentialed teachers available, to hire non-credentialed teachers as district interns and to establish and administer an alternative teacher certification program.
Chapter 1 of 1997

AB 25 (Pringle): Opportunity Scholarships. AB 25 provides publicly-funded opportunity scholarships to low-income students, to allow them to attend any public or private school of their choice.

AB 31 (Aguiar): Educational Technology. AB 31 makes various findings and declarations regarding the state of technology in California classrooms. This bill also declares legislative intent that educational technology be made available to all schools by December 31, 1999, and that the student-computer ratio be 4:1 by December 31, 2000. To accomplish these objectives, the bill states that the Legislature should create a task force to provide recommendations.
Assembly Education

AB 37 (Firestone): Academic Warranty Act of 1997. This bill allows California public colleges and universities to charge public school districts for the costs of providing remedial instruction to students.
Assembly Education

AB 39 (Mazzoni): School Finance Equalization. This bill provides equity in funding for county offices of education, which provide a fiscal oversight function for school districts. It provides low-funded offices with a one-time funding adjustment, and simplifies the funding system for all county offices.
Vetoed

AB 52 (Washington): Compton Unified School District. To improve the education of 28,000 students, this bill puts in place a recovery plan process for the Compton Unified School District. The bill would require the County Office Fiscal Crisis and Management Assistance Team (FCMAT), in collaboration with the state-appointed administrator and employee groups, to develop recovery plans in five areas. Upon a determination by FCMAT that the district has made substantial and sustained progress in implementing the recovery plans, FCMAT would recommend to the Superintendent of Public Instruction the return of authority over those designated functional areas of school district operation that are appropriate for the governing board to assume.

Chapter 767 of 1997

AB 58 (Escutia): Special education. Extends the special education program sunset date from June 30, 1998, to June 30, 2000.

Chapter 829 of 1997

AB 64 (Baca): Digital High School. This bill creates the Digital High School Education Technology Grant Act of 1997 to provide all California public high schools with a technology installation grant within four years and to provide ongoing support and staff training grants. By means of a random selection process for schools with grades 9-12, the bill would provide installation grants of up to \$300 per-pupil to purchase computer technology and ongoing grants of up to \$45 per-pupil for staff development and maintenance. Participating districts would be required to match grant funds with their own resources, which can be from any source other than the Digital High School Program.

Chapter 326 of 1997

AB 101 (Kuehl): Sexual Orientation. Adds sexual orientation to the basis on which discrimination is prohibited in various areas specified in the Education Code.

Failed Passage

AB 167 (Brewer): Penalties. Waives financial penalties and extends penalty payment periods for districts that have not provided the minimum instructional time between fiscal years 1990-91 and 1995-96.

Chapter 708 of 1997

AB 173 (Aguiar): Alternative Teacher Internship Program. Authorizes an additional alternative state teacher credentialing program known as the Alternative Teacher Internship Program. This new, multi-year program would be jointly operated by school districts and universities, with input from teacher organizations, and culminate in a two-year paid school district internship.

Vetoed

AB 189 (Brown): High School Graduation Requirements. Requires school districts maintaining grades 9 to 12 to offer pupils an opportunity to receive credit towards graduation by

performing community service or engaging in service learning activities.

Senate Appropriations

AB 248 (Honda): International Baccalaureate Diploma Programs. Provides monetary incentives to encourage high schools to either continue offering, or to begin offering, the International Baccalaureate Diploma Program curriculum.

Vetoed

AB 252 (Villaraigosa): Developer Fee Reform. Prohibits cities and counties from denying development projects based upon the adequacy of school facilities. Increases fees charged on new residential construction from \$1.84 to \$3 over time. Allows for higher fees, up to 50% of the cost of providing the classroom space that may be generated by that construction.

AB 285 (Honda): Domestic violence and sexual assault prevention. Establishes various requirements for information, teacher training, and pupil instruction on domestic violence and sexual assault.

Assembly Education

AB 287 (Honda): Clean-up Education Code. This law was annual Education Code technical clean-up legislation, sponsored by the state Department of Education. This law corrects errors, resolves conflicts in code sections, deletes obsolete references and makes technical clean-up amendments and restorations to the education budget trailer.

Chapter 825 of 1997

AB 326 (Ortiz): Establishes the School-Based Literacy and Recreation Child Care Program with \$3.5m to fund after-school literacy and tutoring activities which would be provided at local schools in collaboration with community agencies.

Chapter 917 of 1997

AB 351 (Scott): Teaching Apprentice Program. To improve the quality of precredentialed teachers, this bill creates the Teaching Apprentice Program and authorizes the Commission on Teacher Credentialing to issue apprentice teaching certificates instead of emergency permits. This bill also creates a structured training program to provide support and professional development to apprentice teachers.

Chapter 934 of 1997

AB 352 (Scott) and AB 353 (Wildman): Paraprofessional Teacher Training. To develop the teaching careers of paraprofessionals (teacher aides) in schools, these bills expand and modify the California School Paraprofessional Teacher Training Program.

Chapters 737 and 831 of 1997

AB 354 (Mazzoni): CSR Evaluation. Requires the Superintendent of Public Instruction and the State Board of Education to develop an evaluation program from existing resources for the Class Size Reduction Program by November 1, 1997.

Chapter 244 of 1997

AB 365 (Kuehl): High School Graduation Requirements. Requires pupils to complete one course in visual or performing arts **and** one course in foreign language in order to graduate from high school. Current law provides that, in order to graduate from high school, a pupil must take one course in visual or performing arts **or** one course in foreign language.

Vetoed

AB 385 (Goldsmith): Charter Schools: Home Rule Districts. Permits the creation of "home rule" school districts governed by district-wide charters which apply to all of the district's schools and which are established under procedures similar to the creation of charter schools.

Assembly Education

AB 418 (Migden): Postsecondary Academic Preparation. To help more students in underserved areas of the state go to college, this bill creates a program to provide grants to local education agencies for the purpose of developing new or utilizing existing postsecondary academic preparation programs. This bill would create the California Collaborative for Improving Academic Preparation (CCIAP), which would provide services such as information, financial planning and tutoring for high school students. The CCIAP would accomplish its objective by obtaining services from existing, or developing new, collaborations among local education agencies, business and industries, community organizations and postsecondary educational institutions.

Vetoed

AB 458 (Caldera): Charter School Funding. Provides that a charter school shall receive funds for hours of summer school instruction provided by the charter school and for the Year-Round School Grant Program.

Assembly Education

AB 461 (Ortiz): Desegregation. This bill would reset the base year from 1984-85 to 1990-91 for calculating funding eligibility of the Sacramento City Unified School District for the state's voluntary desegregation program. In addition, the bill recognizes a desegregation plan adopted in 1988, and as subsequently amended, by the Sacramento City Unified School District (SCUSD) as the latest adopted desegregation plan for the district. The bill also allows expenditures for the SCUSD federal magnet program to be included in calculations determining the district's voluntary desegregation funding base.

Assembly Appropriations

AB 485 (Papan): School Facilities. Authorizes school boards to grant the use of school facilities for a community youth center or other appropriate purpose.

Chapter 41 of 1997

AB 496 (Lempert): California Mathematics Initiative. This bill establishes the California Mathematics Initiative for Teaching for the purpose of increasing the number of teachers who are competent to teach mathematics in public elementary and secondary schools.

Assembly Appropriations

AB 504 (Wildman): Special Education: low incidence disabilities. Requires the State Department of Education (SDE) to develop guidelines for statewide regionalization of service delivery for pupils with low incidence disabilities and to develop a unified cost model for regionalized programs.

Vetoed

AB 521 (Lempert): Educational Technology. States legislative intent to form a task force, consisting of representatives of educational agencies, including the Superintendent of Public Instruction, the State Board of Education, and local educational agencies, and private industry, to develop a long-term approach to fully integrating education technology into the educational system of this state.

Assembly Education

AB 524 (Cunneen): Life Sciences and Conservation Education Project of 1998. Creates the Life Sciences and Conservation Education Project of 1998 which is intended to provide pupils in grades six, seven and eight an opportunity to increase their understanding of biological conservation and public policy issues.

Chapter 877 of 1997

AB 525 (Aroner): Healthy Start Program. This bill changes the award period of Healthy Start operational grants from three years to five years, clarifies that recipients of operational grants may also receive one-time startup grants of \$100,000, and clarifies that the state Department of Education may award a planning grant to schools that were unsuccessful in applying for an operational grant and that had not already received a planning grant.

Chapter 172 of 1997

AB 538 (House): School Sign Language Interpreters. Requires persons employed by school districts for the purposes of providing American Sign Language/English interpreting to hold specified certificates or meet specified standards.

Assembly Education

AB 544 (Lempert): Paraprofessional Teacher Training. This bill creates the California Paraprofessional and Career Ladder Program to provide grants to school districts for the recruitment and training of paraprofessional employees.

Senate Appropriations

AB 552 (Leach): Internship Programs. This bill requires that participants in university intern programs teach at least one complete school year after completing the internship program before acquiring tenure in the school district.

Chapter 138 of 1997

AB 553 (Leach): School Facilities Maintenance Plan. Requires school districts, in order to receive funds from the State Allocation Board for a project, to prepare a plan for completing major maintenance, repair, and replacement requirements for the project.

Chapter 513 of 1997

AB 572 (Caldera): Improving School Accountability Report Cards. AB 572 provides comparability and uniformity to school accountability report cards, which districts are required to provide to the public. This bill requires that the report cards contain specific statistics related to student achievement and school environment. Currently, report cards must contain information related to several general categories. This bill only requires that the report cards contain specific statistics in these same categories, so that parents can more easily use the report cards to compare and evaluate their children's school and school district.

Chapter 912 of 1997

AB 602 (Davis): Special Education Program Funding Reform. Comprehensively reforms the funding system for special education. The bill provides, as means to transition to the new funding system, a one time equity adjustment to each special education local plan area (SELPA) that is below the statewide average. Subsequently, the bill converts the current resource based funding system into a population-based system and establishes a formula and funding mechanism to distribute equity funding (from federal fund increases and General Fund augmentations appropriated in the budget), up to a statewide target amount per pupil, to SELPAs. The intent of the bill is to establish a new method of funding special education that a) ensures greater equity among SELPAs; b) avoids unnecessary complexity; c) allows for flexibility; and d) eliminates inappropriate fiscal incentives.

Chapter 854 of 1997

AB 606 (Martinez): Child Nutrition Programs. Directs the state Department of Education to conduct a comprehensive study of supplemental food programs in California to be submitted to the Legislature on or before November 15, 1998.

Chapter 174 of 1997

AB 611 (Villaraigosa): School construction approval process. Streamlines and expedites the state school construction approval process for school facilities projects which do not involve major structural building changes.

Chapter 390 of 1997

AB 628 (Strom-Martin): Teacher Credentialing. Creates a blue-ribbon commission to review the concept of the privatization of functions currently performed by the Commission on Teacher Credentialing.

Assembly Education

AB 670 (Mazzoni): Various Funding Issues. This bill makes corrections and changes in the CSR facilities program, the transportation program and the k-8 reading program.

Chapter 827 of 1997

AB 671 (Honda): Teacher Credentialing. This bill would authorize the Commission on Teacher Credentialing to disclose the last known business telephone number of an applicant for a credential or a credential holder.

Assembly Education

AB 676 (Strom-Martin): Classroom Telephones. AB 676 guarantees that all future classrooms will be equipped with telephones, so that teachers have access to public emergency services in the event of a safety emergency. It requires that all future new and renovated classrooms and portables contain connections for telephones or provisions for wireless telephones.

Vetoed

AB 730 (Keeley): Child Nutrition Programs. This bill creates a limited and specific exemption to existing law that protects the privacy of participants in free and reduced price meal programs. The exemption would allow use of pupil participation records to be used to determine the achievement of pupils in poverty.

Chapter 834 of 1997

AB 736 (Thompson): Deferred Maintenance. Revises the State School Deferred Maintenance program administered by the State Allocation Board to establish parameters for apportionment, including eligibility criteria.

Vetoed

AB 748 (Escutia): Improving Assessment for English learners. AB 748 establishes a testing and standards system for English learners, to ensure that children who do not speak English are held to statewide academic performance standards and are properly evaluated on an ongoing basis as to their progress in learning English and the general academic curriculum. The bill provides for the development of a statewide English language development test for use by all districts in determining whether children are limited-English-proficient and in assessing their progress in acquiring English language skills. (Currently, there is no statewide test for this purpose; districts use different methods and assessment tools to assess English language development.) The bill also requires that the State Board of Education adopt statewide academic content and performance standards for English learners that are comparable in rigor and content to the statewide standards for the general K-12 population, and requires English learners to meet these Board-adopted standards.

Chapter 936 of 1997

AB 751 (Escutia): CSR Space. Allows schools with severe space limitations to qualify for class size reduction funds if the school site or 40% of entire district enrollment is multi-track year-round and there are at least 200 students per acre on the school site. Schools would still be required to hire teachers to meet the 1/20 ratio. Team teaching in the same classroom would be allowed.

Chapter 285 of 1997

AB 755 (Mazzoni): An \$8.2 Billion School Facility Bond. \$8.2 billion school construction bond measure would appear on the June, 1998 ballot. If approved, \$4 billion would be available in 1998 and \$4.2 billion would be available in 2000. \$2.2 billion of \$8.2 billion dedicated to higher education. \$1 billion of the \$8.2 billion would be used for classrooms needed to implement the Class Size Reduction program.

AB 776 (Baca): Excused Absences. Allows pupils to be excused from school, up to five absences per school year, to work in the entertainment or allied industries or to participate with a not-for-profit performing arts organization in a performance for a public school pupil audience.

Chapter 879 of 1997

AB 781 (Sweeney): Educational Technology. To facilitate the use of computer-based technology in schools, this bill extends the Morgan-Farr-Quackenbush Education Technology Act of 1992 by five years, to June 30, 2003. This bill also states legislative intent to create the Education Technology Benchmark Implementation Trust Fund, to be administered by the Education Council for Technology in Learning (ECTL).

Vetoed

AB 787 (Wildman): Teacher Credentialing. This bill makes several changes to the authority of school boards to assign teachers to teach in the elementary and middle grades.

Assembly Education

AB 792 (Havice): Continuation high schools. Establishes a new formula to equalize funding for continuation high schools.

Vetoed

AB 814 (Baldwin): Scholarships for Low-Performing Pupils. AB 814 provides publicly-funded opportunity scholarships to low-performing students, to allow them to attend any public or private school of their choice.

Failed Passage

AB 817 (Baldwin): Moment of Quiet Reflection. Requires teachers at each public elementary and secondary school to conduct a brief period of quiet reflection, not to exceed one minute, at

the beginning of the first regularly scheduled class or activity period at which the majority of the pupils of the school normally begin the day.

Failed Passage

AB 828 (Aroner): Second Shift Youth Enrichment Act. Establishes the Second Shift Youth Enrichment Act to provide extended day programs for children and youth in public schools.

Assembly Appropriations

AB 838 (Pacheco): Teachers. Enacts the Credentialed Out-of-State Teacher Recruitment and Retention Act to consolidate and expedite the credentialing process for currently credentialed teachers from other states.

Chapter 628 of 1997

AB 844 (Caldera): Charter School Cap. Repeals the limit on the number of charter schools that may operate in the state in any school year.

Assembly Education

AB 848 (Cunneen): Child Care Facilities. Permits reimbursement of interest paid by child care and development contractors on private sector debt financing for the purchase, lease-purchase, repair or renovation of facilities owned or leased by contractors providing center-based care.

Chapter 247 of 1997

AB 858 (Davis): National Board Certification. To promote nationally-recognized high teaching standards, this bill waives California requirements for out-of-state teachers certified by the National Board for Professional Teaching Standards (NBPTS) and provides funding for California teachers to achieve National Board certification. The NBPTS was created in 1987 after a Carnegie task force recommended that the teaching profession set standards and certify teachers who meet those standards. The NBPTS is an independent, nonprofit, nonpartisan and non-governmental organization governed by a 63-member board of directors, a majority of whom are classroom teachers. The other directors include school administrators, school board leaders, governors and state legislators, higher education officials, and business and community leaders.

Senate Appropriations.

AB 859 (Pringle): Untrained Volunteers. Provides that the governing board of each school district may permit any person, except a person required to register as a sex offender, to serve as an unpaid volunteer for any capital maintenance project in the school district or to perform duties that are otherwise performed by members of the classified service. The bill provides that, to the extent that this act conflicts with a collective bargaining agreement entered into before January 1, 1998, this act shall not apply to the school district until expiration of that collective bargaining agreement.

AB 860 (Ducheny): Teacher Credentialing. Authorizes the Commission on Teacher Credentialing (CTC) to develop alternative models for comprehensive undergraduate teacher

preparation programs that are different from teacher preparation programs presently accredited by CTC. Specifies that alternative models may include an education minor, major, or combined upper division and fifth year program. This bill further authorizes CTC to develop standards for measuring, at the completion of a teacher preparation program, the competency of a credential applicant.

Senate Education

AB 861 (Ducheny): Services for limited-English proficient students. Limits school districts ability to hire teachers with new credentials who do not hold a certificate to provide services for limited-English proficient students. This new requirement would apply only to teachers with credentials issued after August, 2000.

Vetoed

AB 862 (Ducheny): Library Materials Fund. Creates the Library Materials Fund and requires the Superintendent of Public Instruction (SPI) to annually--if funds are provided in the annual budget act--apportion five dollars per unit of average daily attendance reported from the prior fiscal year to each school district and each county office of education.

Senate Appropriations

AB 863 (Pringle): Summer Reading Remediation Pilot Program for Second Grade Pupils. Creates a three year pilot program, commencing with the summer following the 1997-98 school year, to test the effectiveness of requiring all pupils, who at the end of the second grade are reading at least one year behind grade level, to take summer or Saturday school.

Senate Appropriations

AB 867 (Pringle): Charter School Petitions. Allows parents of pupils in low-achieving schools, as defined, to submit a petition for the establishment of a charter school to the governing board of a school district.

Assembly Education

AB 876 (Miller): 1997 California Coaching Education Incentive Grant Program. States legislative intent to create the California Coaching Education Incentive Grant Program which should contain various components and would be administered by school districts. The bill also appropriates \$2.5 million for the 1997-98 fiscal year from the General Fund to the SDE to implement the bill.

Assembly Appropriations

AB 962 (Richter): High School Graduation Requirements. Requires pupils to complete one course in visual or performing arts **and** one course in Spanish **and** one course in another foreign language in order to graduate from high school. Current law provides that, in order to graduate from high school, a pupil must take one course in visual or performing arts **or** one course in foreign language.

Assembly Appropriations

AB 1001 (Torlakson): Parental Rights and Responsibilities. Expands current law regarding the rights and responsibilities of parents and guardians of pupils enrolled in public school.

Assembly Inactive File

AB 1010 (Poochigian): Special Education Funding. Implements a new special education funding system and provides a one-time equity adjustment for the 1997-98 fiscal year. Provisions of this bill were incorporated into AB 602 (Davis).

Assembly Appropriations

AB 1011 (Aguiar), AB 1012 (Poochigian), AB 1013 (Mazzoni): Digital High School Program. This package of legislation was originally intended to create the Digital High School Education Technology Grant Program (DHSP) with three objectives: (1) to provide all high school pupils with basic computer skills; (2) to improve pupil achievement; and (3) to increase collaboration high schools, private industry, postsecondary education institutions, and community organizations. The bills, among other things, specify that the DHSP consists of competitive grants to school districts for projects at high schools. Grants must be matched by the recipient; matches can be in the form of donated computers, in-kind services and equipment from private industry, federal grants (including Title I), and any other funds available to the district.

Assembly Bill 64 (Baca), Chapter 326 of 1997, contains the language from these bills and enacts this program.

Assembly Education

AB 1023 (Mazzoni): Teacher Computer Literacy. To promote teacher computer literacy, this bill requires prospective teachers to demonstrate basic competency in the use of computers in the classroom and veteran teachers to study advanced computer-based technology. This bill is based on recommendations made to the Commission on Teacher Credentialing by a special committee. The committee wrote in its report that, "Because the current [education technology] requirement postpones completion to the professional level credential, many teachers are involved in classroom teaching for up to five years before acquiring any technology competency."

Chapter 404 of 1997

AB 1024 (Davis): Visual and Performing Arts. Requires school districts maintaining any of grades 7 to 12 to offer courses in visual and performing arts, including art, music, theater or dance, with emphasis upon development of aesthetic appreciation and the skills of creative expression.

Senate Education

AB 1056 (Mazzoni): Reform of Low Performing Schools. This bill provides for a systematic reform of low performing schools. Low performing schools will be identified pursuant to criteria approved by the state board of education. The number of such schools will be limited to the

number funded in the annual budget act. The bill provides for intervention and assistance to these low performing schools in two phases funded for up to four years.

Senate Appropriations.

AB 1086 (Mazzoni): Teacher Training for Reading Instruction. Last year, in an attempt to improve primary grade reading instruction, the state appropriated \$13 million to train K-3 teachers in phonics based reading instruction through the (TRIDP). This bill modifies current law to allow future funds to be allocated for the purpose of the TRIDP for grades K-3 and establishes the TRIDP for grades 4-8. The bill identifies various topics and instructional methods that must be included in the TRIDP for grades K-3 and the TRIDP for grades 4-8. Lastly, the bill requires the State Board of Education to develop a list of approved providers of reading instruction. This will help to ensure that the training offered will be in compliance with state law. The 1997-98 Budget appropriates \$56 million for this bill.

Chapter 286 of 1997

AB 1106 (Knox): Middle College High Schools. To enhance the academic success of at-risk students, this bill provides program specifications and requires continued support for Middle College High Schools (MOHS). The MOHS's conduct programs with curricula focusing on college and career preparation, small classes and low student to staff ratios, flexible class scheduling to accommodate student work and internship schedules, interaction with community college students, and opportunities for internships, work apprenticeships, and community service. College going rates among middle college graduates are 71%, compared to the state-wide average of 53%. The outcome data from these programs show they are highly successful in significantly reducing the dropout rate, and increasing the rates of students graduating and going on to college or the workforce.

Chapter 948 of 1997

AB 1140 (Prenter): Special Education Funding. Increases state funding of instructional personnel service units to the statewide average for the Special Education Local Plan Area located in Fresno County.

Assembly Appropriations

AB 1162 (Havice): Secondary Reading/Writing and Mathematics Enrichment Program. Establishes the Secondary Reading/Writing and Mathematics Enrichment Program, a program of competitive grants awarded by the Superintendent of Public Instruction to districts whose applications are approved by the State Board of Education. Funds would be apportioned at a rate of no more than \$500 per pupil with first priority to districts that serve pupils with the lowest college participation rates.

Senate Appropriations

AB 1188 & AB 1571: Education Fiscal Provisions. Appropriates funds to various education projects that were previously vetoed from the budget by the Governor.

AB 1216 (Granlund): School Board Membership. Provides that in the event a person who holds office as a member of the governing board of a school district or community college district, or as a member of a county board of education, is elected or appointed to the governing board of a different school district or community college district, or to a different county board of education, the person's term on the first board is terminated upon taking the oath of office for the second board and the position would be deemed vacated.

Senate Education

AB 1254 (Baldwin): Charter School Cap. Repeals the limit, if specified conditions are met, on the number of charter schools that may operate in the state in any school year.

Assembly Education

AB 1263 (Poochigian): Instructional Materials. Alters the state adoption process for instructional materials.

Chapter 251 of 1997

AB 1266 (Mazzoni): Beginning Teacher Support and Assessment. To provide better support and training to new teachers, this bill expands the Beginning Teacher Support and Assessment Program (BTSA). This bill expands BTSA to serve about 15% of beginning teachers statewide in 1997-98. Jointly administered by the Commission on Teacher Credentialing and the Department of Education, BTSA is currently operating in about 32 local districts and consortia programs, serving about 2,100 first and second year teachers. The BTSA program has been proven to: (1) increase teacher quality, (2) save costs by retaining new teachers, (3) retain minority teachers and teachers in urban schools, and (4) result in teachers with high career satisfaction. An augmentation of \$10 million was provided for the program in the 1997-98 budget.

Chapter 937 of 1997

AB 1292 (Migden): Audit dispute resolution. This bill establishes procedures for the resolution of audit disputes over districts' funding claims. Currently, districts may spend millions of dollars in legal fees to resolve disputes with the state over attendance claims (which determine the largest source of district funding). This bill provides a process for the resolution of such disputes, and clarifies procedures for the state to bring audit claims against districts.

Senate Appropriations

AB 1321 (Alquist): Summer Math Pilot Program. To improve math instruction, this bill creates the Summer Mathematics Institute Pilot Program for the purpose of establishing a model for (a) teaching math to pupils experiencing difficulties in math and (b) in-service training in math to local teachers in an intensive summer school program. For several years, there have been growing concerns about the mathematics achievement of California's K-12 students. In the recently released *National Assessment of Educational Progress (NEP.) 1996 Mathematics Report Card for the Nation and the States*, California fourth graders scored below fourth graders from all of the other states who participated except Louisiana and Mississippi.

Vetoed

AB 1331 (Alquist): Teacher Training for Mathematics Instruction. Creates the Teacher Mathematics Instruction Development Program for grades four to eight.

Senate Appropriations

AB 1339 (Bowen): Teacher Training in New Media Technologies. Requires the California State University to establish pilot programs to train teachers in the use and application of new media technologies.

Senate Education

AB 1346 (Olberg): Home-to-school transportation. Provides equalization funding for home-to-school transportation provided by school districts and county offices of education contingent upon funding available in the budget.

Chapter 826 of 1997

AB 1352 (Martinez): Child Nutrition Programs. This bill would make various legislative findings and declarations with respect to the need to provide needy children with adequate nutrition so that they may perform well in school. The bill would amend each of the various programs pertaining to the provision of breakfast, lunch, or other nutrition programs to pupils to clarify that a pupil who otherwise meets the eligibility requirements of the program is eligible to receive benefits pursuant to the program regardless of citizenship, alienage, or immigration status.

Assembly Education

AB 1456 (Wright): Teacher Credentialing. Imposes limits on the ability of the Commission on Teacher Credentialing (CTC) to grant waivers of the teacher preparation requirements for individuals seeking a teaching credential.

Vetoed by Governor

AB 1490 (House): Sex Education. Specifies that state funds may not be used by any public or private school enrolling pupils in any of kindergarten or grades 1 to 12 for the purposes of a) providing any materials or instruction that promotes or advocates homosexuality as a viable alternative lifestyle; or b) referring any pupil to any organization that promotes or advocates a homosexual lifestyle.

Failed Passage

AB 1495 (Leach): School Volunteer Act of 1997. Authorizes school boards to permit any person, except registered sex offenders, to serve as an unpaid volunteer for any capital maintenance project in the school district. Further specifies that this provision, in the event it conflicts with an existing collective bargaining agreement, does not apply to school districts until the expiration of that collective bargaining agreement.

Assembly Education

AB 1503 (Perata): Literacy Resource Center. Creates the State Literacy Resource Center for

the purpose of enhancing the state's effort to eliminate the problem of illiteracy.
Assembly Education

AB 1578 (Migden): Education Fiscal Provisions. This is the main education trailer bill which contains numerous provisions. In addition to appropriating \$142 million from one-time Prop 98 “settle-up” for various projects, some major provisions:

- 1) Require the Superintendent of Public Instruction to notify school districts and county offices of education that the deficit factor for the 1998-99 state budget shall be the same as the factor used in 1997-98, if next year's state budget is not signed into law before the first principal apportionment to school districts.
- 2) Require local school boards to discuss at a public hearing and submit a written report to the Governor, State Board of Education (SBE) and Department of Finance (DOF) the plan for expenditure of the \$1.1 billion in equalization/deficit reduction deal funds.
- 3) Create a \$25 million Child Care Facilities Revolving Fund to provide loan funds for child care facilities that were displaced as a result of class-size reduction.
- 4) Appropriate \$10 million for child care facility grants in community college districts, providing priority for serving CalWORKS eligible students.
- 5) Appropriate \$25 million for adult education services for CalWORKS recipients.
- 6) Appropriate specified amounts to local educational agencies for the purpose of funding specific one-time education expenditures.
- 7) Specify a deficit factor, to be calculated by DOF at the 1997-98 first principal apportionment, to be used for county superintendents of schools revenue limits for the 1996-97, 1997-98 fiscal years, and states that the same deficit factor shall be used for the 1998-99 fiscal year unless the Legislature modifies this deficit factor in the 1998 Budget Act.

Chapter 299 of 1997

AB 1579 (Strom-Martin): Staff Development Buy-out Program/Longer School Year. This bill creates the Staff Development Buy-out program, which will pay school districts \$220 per day for each employee who participates in core curriculum area staff development programs that are offered on days that are in addition to the regular school year. This program provides an incentive to schools to offer a full 180 days of instruction by having staff “in-service” days outside of the regular school year, such as during scheduled breaks or recesses.

Chapter 296 of 1997

AB 1610 (Ortiz): Background Checks for School Employees. Prohibits school districts from employing any person, in a position not requiring certification qualifications, that has not had their fingerprints submitted to DOJ for a criminal background check. Furthermore, the bill requires any entity that has a contract with a school district to certify in writing that none of its employees that may come in contact with pupils have been convicted of a felony. The bill requires DOJ, upon implementation of an electronic fingerprinting system, to ascertain, within three working days (in the interim, the bill requires that the results be provided within 30 days), whether the applicant has been arrested or convicted of any crime based on the information available to

DOJ. In addition, the bill specifies that if DOJ cannot ascertain required information within three working days, they must inform the school district and that school districts may not employ a person until DOJ has ascertained the required information. The bill also prohibits private schools from hiring specified individuals.

Chapter 588 of 1997

AB 1612 (Alby): Employment Restrictions. Prohibits school districts from employing persons, with some exceptions, that have been convicted of a violent or serious felony.

Chapter 589 of 1997

ACA 5 (Mazzoni): Property tax rates and local school bonds. Adds an exception to the 1% tax rate limit established by Proposition 13 and lowers the vote requirement for approval of local school general obligation bonds to 58%.

Assembly Education

ACA 7 (Escutia): Property tax rates and local school bonds. Expresses legislative intent to add an exception to the 1% tax rate limit established by Proposition 13 and to lower the vote requirement for approval of local school general obligation bonds to a simple majority vote.

Assembly Rules

SB 6 (Alpert): Reforming Bilingual Education. This bill provides flexibility to districts in designing their programs for English learners (limited-English-proficient students), but also requires that they report certain data to the state on the academic progress of these students and requires that they change their programs if these students do not demonstrate sufficient achievement. The bill also contains a number of provisions related to 1) the establishment of standards for these children, 2) assessment to measure their progress toward these standards, and 3) time lines for districts to provide data and report to the state. This bill replaces existing inactive law, which emphasizes a particular instructional method for English learners.

Assembly Appropriations

SB 66 (Greene): Facilities for Class Size Reduction Program. This bill helps address the facilities needs generated by the new Class Size Reduction Program (CSR). Specifically, it transfers \$159 million unused funds in the Class Size Reduction operational grant program to the CSR facility grant program. The SPI reports that 94% of school districts in California are participating in the Class Size Reduction Program in 1996-97. The SPI further reports that 88% of all first grade students, 57% of second grade students, 18% of all third grade students and 14% of all kindergartners are attending classes that are no more than 20 students in 1996-97. This represents some 955,000 pupils or 52% of all K-3 pupils.

Chapter 656 of 1997

SB 85 (Peace): Staff Development Buy-Out Program. Makes modifications and technical changes to the Staff Development Buy-Out Program (AB 1579 [Strom-Martin], Chapter 296,

Statutes of 1997), which provides incentives to school districts to offer staff development programs on days that are in addition to the regular school year.

Chapter 929 of 1997

SB 135 (Alpert): Categorical Program Reform. This bill consolidates several existing categorical programs and repeals the statutory language for those programs effective July 1, 1998. It replaces and recasts these programs into two major block grant programs: 1) Educational Quality Improvement Grants, and 2) Statewide Initiative Funding. This bill represents a major change in the requirements associated with some categorical funding programs. The bill proposes that fewer strings be attached to the funding and that local districts exercise greater decision-making powers to meet locally identified needs.

Vetoed

SB 180 (Greene): Charter School Facilities. Specifies that charter schools are subject to the provisions of the Field Act and that the provisions of this bill are declaratory of current law.

Assembly Education

SB 187 (Hughes): Safety. Requires school districts to be responsible for the overall development of school safety plans for their schools. The bill requires these plans to include an assessment of school-based crimes and strategies for improving school safety.

Chapter 736 of 1997

SB 190 (Alpert): Teacher Credentialing. This bill requires the Commission on Teacher Credentialing (CTC) to authorize accredited postsecondary institutions to arrange curriculum so that candidates for a teaching credential may simultaneously complete their professional teaching studies and classroom experience while also pursuing their subject-matter studies. Requires CTC to establish appropriate standards for these "integrated" programs. These standards would be required to be no less rigorous than the standards established for one-year professional preparation courses and subject matter programs.

Assembly Inactive File

SB 250 (Greene): State School Building Program Reform. Allows year-round schools to qualify for funds for all students for which space is not available. Eliminate state liens on school property. Create 50% state/50% local program. Provide more than 50% if local tax effort does not yield sufficient funds.

SB 298 (Leslie): Class Size Attendance Audit. Modifies the onerous audit provisions of SB 804.

Vetoed

SB 345 (Polanco): Indian Education Centers. Reauthorizes and modifies the provisions of law regarding Indian Education Centers, which expired January 1, 1997.

SB 376 (Alpert): Pupil Testing Program. This bill creates the Standardized Testing and Reporting Program (STAR), which replaces the Pupil Testing Incentive Program (PTIP). (See details under “top ten.”)

SB 376 (Alpert): Pupil Testing Program. This bill creates the Standardized Testing and Reporting Program (STAR), which replaces the Pupil Testing Incentive Program (PTIP). STAR has the following elements:

- 1) Expands the grades tested to produce individual scores from grades 2-10 (under PTIP) to grades 2-11;
- 2) Eliminates option for districts to choose from among different tests and instead requires one statewide test starting in 1998. Authorizes districts that have signed contracts with publishers to administer tests under PTIP, to use their former tests and be reimbursed by the state for the cost of their administration (up to \$5 per pupil);
- 3) Requires districts to test English learners with the statewide test in English and a test in the students' primary languages (if a test is available in the language), during their first year of enrollment. Thereafter, requires districts to test English learners in English and permits districts to test them in their primary languages (if test is available);
- 4) Requires school districts to report test scores by grade level, school and district to local district governing boards. Requires districts to report test scores to the state by school and district. Requires that compiled scores be available on the internet;
- 5) Reimburses districts for the cost of administering the statewide test at \$8 per pupil per test; and
- 6) Changes final date by which the State Board of Education (SBE) must adopt standards in history-social science and science, from January 1, 1998, to November 1, 1998. (Does not change date for reading, writing, and mathematics.)

Chapter 828 of 1997

SB 377 (Greene): Voluntary Desegregation. Authorizes several school districts to receive state reimbursement for the costs of voluntary desegregation programs, provided that funding is appropriated in the Budget Act or other legislation.

Chapter 860 of 1997

SB 534 (Karnette): Teen Pregnancy Prevention. Creates the Karnette Teen Abstinence Education Act to implement the abstinence education provision of the federal Personal Responsibility and Work Opportunity Act of 1996. In addition, the bill requires the State Department of Education to contract for the preparation of two video presentations on the prevention of teen pregnancy and to distribute the videos with supplemental instructional materials to schools.

Assembly Appropriations

SB 674 (Thompson): Five-Year Limit on Emergency Teaching Permits. To improve the quality of new teachers in the public schools, this bill places a five-year limit on the use of emergency teaching credentials. Holders of emergency credentials comprise a growing percentage of the state's teaching force. CTC data indicate a 110% increase in the number of emergency permits issued over an eight month period after the Class Size Reduction Program was implemented, compared to the same period before the program. In addition, a study of 200 representative school districts by the Legislative Analyst's Office determined that approximately 24% of teachers hired for the Class Size Reduction program hold emergency permits. This bill implements a recommendation from the California State University Institute for Education Reform.

Chapter 344 of 1997

SB 708 (Greene): Field Act. Extends the authority of the State Allocation Board to approve requests for waivers of the Field Act for existing school facilities from September 30, 1997 to September 30, 2000 in order to meet increased demand for classrooms under the state Class Size Reduction Program.

Chapter 320 of 1997

SB 710 (Dills): Driver Training. Appropriates \$125,000 from the Driver Training Penalty Assessment Fund to the Commission on Teacher Credentialing (CTC) to fund model programs that help meet the requirements for the proper credential in driver education and training.

Assembly Inactive File

SB 727 (Rosenthal): Eliminating excused absences. This bill simplifies district paperwork and provides an incentive for schools to improve student attendance by ending the current state practice of reimbursing districts for days that students are absent from school for specified reasons. However, it adjusts funding formulas so that districts do not lose funding as a result of this change.

Chapter 855 of 1997

SB 793 (Dills): Driver Training. Appropriates monies from the Driver Training Penalty Assessment Fund (DTPAF) to pay the half-year cost of at least one driver training consultant position in the State Department of Education (SDE).

Assembly Education

SB 804 (O'Connell) : Class Size Reduction Program. This bill expands and modifies the Class Size Reduction Program(CSR). Specifically, it:

- 1) Increases per pupil funding for Option 1 from \$650 to \$800, and Option 2 from \$325 to \$400.
- 2) Expands the program from three grades to four grades.
- 3) Requires that teachers be hired for the program by November 1, classes be established by February 16, and school districts provide training for teachers between the date of hire and implementation.

- 4) Establishes three circumstances under which the per pupil funding level would be lowered to \$650 for Option 1 and \$325 for Option 2. The circumstances are if: a) a teacher is hired after November 1; b) a teacher is not trained by February 16; and c) a pupil enrolls in a CSR class after February 16 and causes the teacher pupil ratio to exceed 1 to 20.
- 5) Establishes a facilities loan program which allows districts to borrow against the amount of unused operations funds. The district is eligible to receive \$40,000 per classroom, or facility related costs.
- 6) Requires an audit of all school districts who choose to participate in the CSR Program, as specified. (See SB 298)
- 7) Extends the waiver option for impacted schools for one year.
- 8) Deletes the maintenance of effort requirement.
- 9) Extends for one year from the requirement that each new class established under the program is housed in a separate self contained classroom.
- 10) Allows the Superintendent of Public Instruction to advance 25% of the operational funds districts received under the program in the 1996-97 year.

Chapter 298 of 1997

SB 824 (Greene): Teachers. Establishes the California Center on Teaching Careers to recruit highly qualified individuals into the teaching profession. The new Center would be administered by the California State University in cooperation with the Commission on Teacher Credentialing, the State Department of Education, the University of California, and independent institutions of higher education.

Chapter 964 of 1997

SB 843 (Hayden): Charter Schools. Specifies that two charter schools authorized under current law must be established for the purpose of serving pupils who attend a public elementary or secondary school in which the average achievement test scores are in the fifth percentile or lower, or whose pupils are primarily from low-income families.

Assembly Education

SB 1015 (Schiff): Licensed Children's Institutions. Extends the sunset date from January 1, 1998 to January 1, 1999 for a special funding entitlement provided to a single district Special Education Local Plan Area (Pasadena Unified School District) that is severely impacted by pupils who reside in licensed children's institutions.

Chapter 545 of 1997

SB 1051 (Vasconcellos): Voluntary Desegregation. Authorizes several school districts in East San Jose to receive state reimbursement for the costs of a single coordinated voluntary desegregation program, provided that funding is appropriated in the annual Budget Act, or any other bill.

Chapter 861 of 1997

SB 1095 (Lockyer): High-Risk Youth Education and Public Safety Program.

This bill targets resources and services to juveniles who have committed crimes and are at highest risk of becoming repeat offenders, in an attempt to prevent them from eventually ending up in the prison system as adults. It establishes a new grant program to target resources and services to two types of students involved in the juvenile justice system: 1) high-risk first-time juvenile offenders and 2) juveniles transitioning from juvenile ranches and camps back into the community.

The bill allows county offices of education to apply to the State Department of Education for grants, which are awarded on a competitive basis. Grant recipients receive special funds to provide participating youth with counseling services, structured after-school programs, career-related services, transportation and other services. Grant recipients must provide specific outcome data linked to program goals, and the State Department of Education must contract for an independent evaluation of the program.

Part of this bill is modeled after a successful program in Orange County, which was developed in response to a study that found that 8% of all juvenile offenders were responsible for most of the repeat offenses committed by juveniles in the county. The Orange County program identified these “8%” juveniles soon after their first offense based on certain risk factors, and provided them with services that were successful in preventing some of these youth from becoming repeat offenders.

Chapter 340 of 1997

SB 1110 (Leslie): Parental Notification for Sex Education. Requires school districts to notify parents or guardians of specific information before a pupil may receive AIDS prevention or sex education instruction.

Senate Unfinished Business

SB 1163 (Greene): Voluntary Desegregation. Resets the base year funding calculation of the desegregation plan of the Sacramento City Unified School District.

Chapter 862 of 1997

SB 1261 (Sher): Special Education Pilot Program. Extends the sunset date for a pilot program that was established to determine whether special education students who have been placed in nonpublic schools can be better, and more cost effectively, served in public school programs to January 1, 2000 rather than June 30, 1998.

Chapter 30 of 1997

SB 1318 (Polanco): Charter Schools: County Boards. Allows a specific charter school,

operating under a charter approved by the Los Angeles County Board of Education, to operate until June 30, 1999.

Chapter 58 of 1997

SB 1323 (Polanco): Schoolsite Preparation Funding and Fire Safety. Allows school districts to receive funds for site preparation on leased land and requires school governing bodies to include fire inspection reports on public meeting agendas.

Vetoed

SCA 12 (O'Connell): Majority Vote Local School Construction Bonds. Adds an exception to the 1% tax rate limit established by Proposition 13 and lowers the vote requirement for approval of local school general obligation bonds to a simple majority vote. The bill provides that the amendment would appear on the June, 1998 election ballot and would roll over to the November, 1998 election ballot if the amendment failed to pass in June.

Assembly Education