

**ASSEMBLY BILL****No. 71**

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**Introduced by Assembly Member Duvall**December 12, 2008

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An act to add Section 47634 to, to repeal Sections 41311, 42243.7, 47634.1, 47634.4, 49452.8, 49501, 49536, 52244, and 52272 of, to repeal Chapter 4 (commencing with Section 400) of Part 1 of Division 1 of Title 1 of, to repeal Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of, to repeal Article 4 (commencing with Section 37252) of Chapter 2 of Part 22 of Division 3 of Title 2 of, to repeal Article 10 (commencing with Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2 of, to repeal Article 4.5 (commencing with Section 42290) of Chapter 7 of Part 24 of Division 3 of Title 2 of, to repeal Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3 of Title 2 of, to repeal Article 4.5 (commencing with Section 44279.1), Article 11 (commencing with Section 44380), Article 12 (commencing with Section 44390), and Article 13 (commencing with Section 44395) of Chapter 2 of Part 25 of Division 3 of Title 2 of, to repeal Article 4.5 (commencing with Section 44500), Article 4.6 (commencing with Section 44510), and Article 6 (commencing with Section 44560) of Chapter 3 of Part 25 of Division 3 of Title 2 of, to repeal Chapter 3.34 (commencing with Section 44730) and Chapter 3.36 (commencing with Section 44735) of Part 25 of Division 3 of Title 2 of, to repeal Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of Division 4 of Title 2 of, to repeal Article 11 (commencing with Section 49550) and Article 11.5 (commencing with Section 49565) of Chapter 9 of Part 27 of Division 4 of Title 2 of, to repeal Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 of Title 2 of, to repeal Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of

Division 4 of Title 2 of, to repeal Chapter 6.5 (commencing with Section 52060) of Part 28 of Division 4 of Title 2 of, to repeal Article 4 (commencing with Section 52180) of Chapter 7 of Part 28 of Division 4 of Title 2 of, to repeal Chapter 8 (commencing with Section 52200) of Part 28 of Division 4 of Title 2 of, to repeal Article 4.5 (commencing with Section 52378) and Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2 of, to repeal Article 6 (commencing with Section 52890) of Chapter 12 of Part 28 of Division 4 of Title 2 of, to repeal Chapter 12.5 (commencing with Section 52920) of Part 28 of Division 4 of Title 2 of, to repeal Article 2 (commencing with Section 54020) of Chapter 1 of Part 29 of Division 4 of Title 2 of, to repeal Article 5 (commencing with Section 54690) and Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4 of Title 2 of, to repeal Chapter 6 (commencing with Section 58800) of Part 31 of Division 4 of Title 2 of, to repeal Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of, and to repeal Chapter 5 (commencing with Section 99200) of Part 65 of Division 14 of Title 3 of, and to repeal and add Chapter 3.2 (commencing with Section 41500) of Part 24 of Division 3 of Title 2 of, the Education Code, relating to public school finance, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 71, as introduced, Duvall. Categorical education funding: block grants.

(1) Existing law established the pupil retention block grant, school safety consolidated competitive grant, teacher credentialing block grant, professional development block grant, a new targeted instructional improvement block grant, and school library improvement block grant. Existing law authorizes a school district or county office of education to expend in a fiscal year up to 15% of the amount apportioned for the school safety consolidated competitive grant, professional development block grant, targeted instructional improvement block grant, or school library improvement block grant for any other programs for which the school district or county office is eligible for funding, not to exceed 120% of the amount of state funding allocated in a fiscal year to the school district or county office for purposes of the program to which funds are transferred.

This bill would repeal those block grants and instead establish the following block grants, composed of funding for specified categorical education programs: the Supplemental Professional and Staff Development Block Grant, the Supplemental Academic Support for At-Risk Pupils Block Grant, the Supplemental Academic Support Block Grant, the Supplemental Operational Support Block Grant, the Supplemental Career Technical Education Block Grant, and the Supplemental Pupil Support Block Grant. Commencing with the 2009–10 fiscal year, the Superintendent of Public Instruction would be required to apportion funds from those block grants to school districts, as defined. The bill would authorize a school district or county office of education to expend in a fiscal year up to 50% of the amount apportioned for the block grants established by the bill for any other categorical program for which the school district or county office is eligible for funding, including programs whose funding is not included in any of the block grants established by the bill, not to exceed 155% of the amount of state funding allocated in a fiscal year to the school district or county office for purposes of the program to which funds are transferred. The bill also would repeal statutory provisions that established or are related to various programs included in the block grants established by the bill.

(2) Existing law specifies the formula that the Superintendent of Public Instruction is required to use in order to calculate a categorical block grant for charter schools. Existing law authorizes charter schools that elect to receive their funding directly to apply individually for federal and state categorical programs, except as specified, to the extent that they are eligible for funding and meet the provisions of the programs.

This bill would repeal those provisions and instead require the Superintendent to calculate a categorical block grant for charter schools using a formula based on the supplemental block grants established by the bill as described in (1) above. The bill also would prohibit charter schools from separately applying for funding pursuant to any of the categorical programs included in the supplemental block grants.

This bill would make an appropriation by allowing funds that are continuously appropriated for purposes of the After School Education and Safety Program to be used for other categorical purposes.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3     (1) The 2007 “Getting Down to Facts” studies note that “the  
4 highly prescriptive finance and governance systems thwart  
5 incentives for higher achievement and local schools and districts  
6 in their efforts to meet the needs of their students.” Additionally,  
7 the studies note: “What matters most are the ways in which the  
8 available resources and any new resources are used.” The studies  
9 make clear that California’s education system is not making the  
10 most efficient use of its current resources.

11     (2) Research has failed to show that any one program will result  
12 in consistent academic progress or lasting incentives to prevent  
13 pupils from dropping out of school. Research has shown that school  
14 culture and strong leadership are the keys to pupil success.  
15 Therefore, block grants will allow school districts the needed  
16 flexibility to prioritize funding to best meet the needs of the pupils  
17 and families they serve.

18     (3) Relaxing many of the restrictions on the use of school  
19 funding is one step in the direction of greater school finance reform  
20 that results in more local flexibility and fewer administrative  
21 restrictions to enable schools to best meet the needs of their pupils  
22 and families.

23     (4) Categorical programs are created when an entity perceives  
24 the need for specialized, restricted funding, often resulting in  
25 limiting access to the funding by many school districts and their  
26 pupils. Research has shown that, despite pupil characteristics, all  
27 pupils can learn if they have appropriate school leadership and a  
28 structured and enthusiastic learning environment. The Legislature  
29 recognizes that it cannot create such environments through  
30 legislation. Therefore, it is the intent of the Legislature to ease the  
31 administrative and fiscal burden on school districts, so that they  
32 may utilize their resources in the best manner to create sound  
33 learning environments for all pupils. The Legislature recognizes  
34 that creating a culture of learning for all pupils is the fundamental  
35 responsibility of each local educational agency. The Legislature  
36 further recognizes that it is the fundamental responsibility of a  
37 local educational agency to properly prioritize its funding from all

1 sources in order to provide the proper educational setting to offer  
2 all its pupils an opportunity to succeed academically.

3 (b) It is therefore the intent of the Legislature in enacting this  
4 act to accomplish all of the following:

5 (1) Address the continuing concerns regarding the fragmentation  
6 of supplementary funding sources and the need for flexibility in  
7 order to respond to the special needs of all pupils.

8 (2) Refocus attention on the effect that the expenditure of  
9 categorical program funds has on pupil learning rather than on  
10 state spending and compliance with operational rules for categorical  
11 programs.

12 (3) Improve school performance by doing all of the following:

13 (A) Provide schools increased flexibility in the use of available  
14 funds in exchange for accountability.

15 (B) Ensure that funds intended for services to disadvantaged  
16 pupils and schools are expended for their stated purpose.

17 (C) Ensure that local governing boards develop and adopt the  
18 highest possible standards for pupils. The standards shall be as  
19 rigorous as current state standards and any standards that may be  
20 adopted pursuant to subsequent legislation.

21 (4) Accomplish the goals set forth in paragraphs (1) to (3),  
22 inclusive, by establishing block grants to be composed of funding  
23 for certain current categorical education programs.

24 (5) Consolidate those programs, other than the base grants, to  
25 ensure that the block grants provide supplemental funding for  
26 services beyond core educational services.

27 SEC. 2. Chapter 4 (commencing with Section 400) of Part 1  
28 of Division 1 of Title 1 of the Education Code is repealed.

29 SEC. 3. Article 8 (commencing with Section 8150) of Chapter  
30 1 of Part 6 of Division 1 of Title 1 of the Education Code is  
31 repealed.

32 SEC. 4. Article 4 (commencing with Section 37252) of Chapter  
33 2 of Part 22 of Division 3 of Title 2 of the Education Code is  
34 repealed.

35 SEC. 5. Section 41311 of the Education Code is repealed.

36 ~~41311. It is the intent of the Legislature that the Child Nutrition~~  
37 ~~Program shall provide permanent financial assistance to eligible~~  
38 ~~school districts, county superintendents of schools, local agencies,~~  
39 ~~private schools, parochial schools, and child development~~  
40 ~~programs, for implementing the school meal program. That~~

1 ~~financial assistance shall be used to reimburse the cafeteria account~~  
2 ~~of school districts, county superintendents of schools, local~~  
3 ~~agencies, private schools, parochial schools, and child development~~  
4 ~~programs, based upon the number of qualifying meals served to~~  
5 ~~students.~~

6 SEC. 6. Chapter 3.2 (commencing with Section 41500) of Part  
7 24 of Division 3 of Title 2 of the Education Code is repealed.

8 SEC. 7. Chapter 3.2 (commencing with Section 41500) is added  
9 to Part 24 of Division 3 of Title 2 of the Education Code, to read:

10  
11 CHAPTER 3.2. CATEGORICAL EDUCATION BLOCK GRANT  
12 FUNDING

13  
14 Article 1. General Provisions

15  
16 41500. (a) Notwithstanding any other provision of law, a  
17 school district and county office of education may expend in a  
18 fiscal year up to 50 percent of the amount apportioned for the block  
19 grants set forth in this chapter for any other categorical program  
20 for which the school district or county office is eligible for funding,  
21 including programs whose funding is not included in any of the  
22 block grants established pursuant to this chapter. The total amount  
23 of funding a school district or county office of education may  
24 expend for a program to which funds are transferred pursuant to  
25 this section shall not exceed 155 percent of the amount of state  
26 funding allocated to the school district or county office for purposes  
27 of that program in a fiscal year. For purposes of this subdivision,  
28 “total amount” means the amount of state funding allocated to a  
29 school district or county office for purposes of a particular program  
30 in a fiscal year plus the amount transferred in that fiscal year to  
31 that program pursuant to this section.

32 (b) Before a school district or county office of education expends  
33 funds pursuant to this section, the governing board of the school  
34 district or the county board of education, as applicable, shall discuss  
35 the matter at a noticed public meeting.

36 (c) A school district or county office of education shall track  
37 transfers made pursuant to this section.

38 41501. The department annually shall compile and update  
39 information for each state and federal categorical education  
40 program, including the distribution of funds from each program

1 to each school district and county office of education, in a form  
2 similar to the November 2003 audit of the department performed  
3 by the Bureau of State Audits.

4 41502. In consolidating the programs described in Sections  
5 41506, 41511, 41516, 41521, 41526, and 41531, the Legislature  
6 acknowledges the differing needs of school districts while  
7 maintaining appropriate levels of funding for specific areas,  
8 including teacher quality, instructional materials, and school  
9 facilities.

10  
11 Article 2. Supplemental Professional and Staff Development  
12 Block Grant  
13

14 41505. (a) There is hereby established the Supplemental  
15 Professional and Staff Development Block Grant. Notwithstanding  
16 any other provision of law, commencing with the 2009–10 fiscal  
17 year, the Superintendent shall apportion block grant funds to school  
18 districts based on the number of teachers employed by the school  
19 district in the immediately preceding fiscal year. For purposes of  
20 this subdivision, because of the circumstances of deferrals and  
21 deficits, funding received in the 2008–09 fiscal year, shall include  
22 funding attributable to the 2008–09 fiscal year regardless of the  
23 actual date of its receipt.

24 (b) A school district may expend funds received pursuant to  
25 this article for any purpose authorized by the programs listed in  
26 Section 41506.

27 (c) For purposes of this article, “school district” includes a  
28 county office of education if county offices of education are eligible  
29 to receive funds for the programs that are listed in Section 41506.  
30 The block grant of a county office of education shall be based only  
31 on those programs for which it was eligible to receive funds in the  
32 2008–09 fiscal year.

33 41506. The Supplemental Professional and Staff Development  
34 Block grant shall include the funding previously apportioned to  
35 school districts for the purposes of all of the following programs:

36 (a) Staff development as set forth in Article 7.5 (commencing  
37 with Section 44579) of Chapter 3 of Part 25, as it read on December  
38 31, 2005.

1 (b) Teaching as a Priority Block Grant as set forth in Chapter  
2 3.36 (commencing with Section 44735) of Part 25, as it read on  
3 December 31, 2009.

4 (c) (1) Beginning teacher support and assessment as set forth  
5 in Article 4.5 (commencing with Section 44279.1) of Chapter 2  
6 of Part 25, as it read on December 31, 2009.

7 (2) For purposes of issuing teaching credentials, certificates, or  
8 other authorizations, the Commission on Teacher Credentialing  
9 shall approve the programs described in paragraph (1). To ensure  
10 the Superintendent has the requisite information to allocate funding  
11 based on the number of participating credential candidates pursuant  
12 to this subdivision, the commission shall inform the Superintendent  
13 on an ongoing basis of the approval status of these programs and  
14 numbers of participating candidates in each approved program.

15 (d) Mathematics and Reading Professional Development  
16 Program as set forth in Article 3 (commencing with Section 99230)  
17 of Chapter 5 of Part 65 of Division 14 of Title 3, as it read on  
18 December 31, 2009.

19 (e) Bilingual Teacher Training Assistance Program as set forth  
20 in Article 4 (commencing with Section 52180) of Chapter 7 of  
21 Part 28 of Division 4, as it read on December 31, 2009.

22 (f) California Peer Assistance and Review Program for Teachers  
23 as set forth in Article 4.5 (commencing with Section 44500) of  
24 Chapter 3 of Part 25, as it read on December 31, 2009.

25 (g) Reader assistant services as set forth in Section 44925.

26 (h) Alternative certification programs as set forth in Article 11  
27 (commencing with Section 44380) of Chapter 2 of Part 25, as it  
28 read on December 31, 2009.

29 (i) California School Paraprofessional Teacher Training Program  
30 as set forth in Article 12 (commencing with Section 44390) of  
31 Chapter 2 of Part 25, as it read on December 31, 2009.

32 (j) Teacher assignment monitoring as set forth in Section  
33 44258.9.

34 (k) Certificated Staff Mentoring Program as set forth in Article  
35 6 (commencing with Section 44560) of Chapter 3 of Part 25, as it  
36 read on December 31, 2009.

37 (l) National Board for Professional Teaching Standards  
38 Certification Incentive Program as set forth in Article 13  
39 (commencing with Section 44395) of Chapter 2 of Part 25, as it  
40 read on December 31, 2009.



1 (m) Subject matter projects as set forth in Article 1 (commencing  
2 with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title  
3 3, as it read on December 31, 2009.

4 (n) Administrator Training Program as set forth in Article 4.6  
5 (commencing with Section 44510) of Chapter 3 of Part 25, as it  
6 read on December 31, 2009.

7 (o) Chief Business Officer Training Program as set forth in  
8 Article 4.8 (commencing with Section 44518) of Chapter 3 of Part  
9 25, as it read on December 31, 2009.

10 (p) Teacher dismissal apportionments for claims received  
11 pursuant to Section 44944.

12 (q) Education Technology Staff Development Program as set  
13 forth in Chapter 3.34 (commencing with Section 44730) of Part  
14 25, as it read on December 31, 2009.

15 (r) Education Technology Professional Development Program  
16 as set forth in Section 52272, as it read on December 31, 2009.

17 (s) California Professional Development Institutes as set forth  
18 in Article 2 (commencing with Section 99220) of Chapter 5 of  
19 Part 65 of Division 14 of Title 3, as it read on December 31, 2009.

20 41507. Commencing with the 2010–11 fiscal year, the amount  
21 of funding a school district receives pursuant to this article shall  
22 be adjusted for inflation and for growth as measured by the regular  
23 average daily attendance used to calculate the second principal  
24 apportionment for kindergarten and grades 1 to 12, inclusive, as  
25 provided for in the annual Budget Act.

26  
27 Article 3. Supplemental Academic Support for At-Risk Pupils  
28 Block Grant  
29

30 41510. (a) There is hereby established the Supplemental  
31 Academic Support for At-Risk Pupils Block Grant.  
32 Notwithstanding any other provision of law, commencing with  
33 the 2009–10 fiscal year, the Superintendent shall apportion block  
34 grant funds to a school district in the same relative statewide  
35 proportion that the school district received in the 2008–09 fiscal  
36 year for the programs listed in Section 41511, adjusted for changes  
37 in program participation by school districts in the 2000–10 fiscal  
38 year and each fiscal year thereafter. For purposes of this  
39 subdivision, funding received in the 2008–09 fiscal year, because  
40 of the circumstances of deferrals and deficits, shall include funding

1 attributable to the 2008–09 fiscal year regardless of the actual date  
2 of its receipt.

3 (b) A school district may expend funds received pursuant to  
4 this article for any purpose authorized by the programs listed in  
5 Section 41511 or for costs associated with providing pupils at risk  
6 of academic failure with supplemental education services pursuant  
7 to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec.  
8 6316(e)).

9 (c) As a condition of receiving funds from the block grant  
10 pursuant to this article, a school district shall publicly report at a  
11 regularly scheduled board meeting the proportion of pupils scoring  
12 “below basic” or “far below basic” on the mathematics and  
13 language arts portions of the California Standards Tests for grades  
14 3, 6, and 9, and describe how it is utilizing funds from the block  
15 grant to address the academic needs of pupils at risk of academic  
16 failure.

17 (d) For purposes of this article, “school district” includes a  
18 county office of education if county offices of education are eligible  
19 to receive funds for the programs that are listed in Section 41511.  
20 The block grant of a county office of education shall be based only  
21 on those programs for which it was eligible to receive funds in the  
22 2008–09 fiscal year.

23 41511. The Supplemental Academic Support for At-Risk Pupils  
24 Block Grant shall include funding previously apportioned to school  
25 districts for purposes of the following programs:

26 (a) Supplemental instruction as set forth in Article 1  
27 (commencing with Section 53025) of Chapter 16 and Chapter 18  
28 (commencing with Section 53091) of Part 28 of Division 4, as  
29 those provisions read on December 31, 2005.

30 (b) Continuation high schools as set forth in Section 42243.7,  
31 as it read on December 31, 2009.

32 (c) High-Risk Youth Education and Public Safety Program as  
33 set forth in Part 26.95 (commencing with Section 47750) of  
34 Division 4, as it read on December 31, 2005.

35 (d) Tenth grade counseling as set forth in Sections 48431.6 and  
36 48431.7, as those provisions read on December 31, 2005.

37 (e) Opportunity programs as set forth in Article 2 (commencing  
38 with Section 48630) and Article 2.3 (commencing with Section  
39 48643) of Chapter 4 of Part 27 of Division 4, as those provisions  
40 read on December 31, 2005. The supplemental academic support

1 for at-risk pupils block grant shall not include funding apportioned  
2 to county offices of education for opportunity schools and programs  
3 administered under Sections 48640 and 48641, as those provisions  
4 read on December 31, 2005.

5 (f) (1) Dropout prevention and recovery as set forth in Article  
6 6 (commencing with Section 52890) of Chapter 12 of Part 28 of  
7 Division 4, as those provisions read on December 31, 2009, and  
8 Article 7 (commencing with Section 52900) of Chapter 12 of Part  
9 28 of Division 4, Article 3 (commencing with Section 54660) and  
10 Article 7 (commencing with Section 54720) of Chapter 9 of Part  
11 29 of Division 4, and Chapter 3.5 (commencing with Section  
12 58550) of Part 31 of Division 4, as those provisions read on  
13 December 31, 2005. A school district that received funds pursuant  
14 to the programs listed in this subdivision in the 2004–05 fiscal  
15 year shall utilize funds received pursuant to this article to maintain  
16 at least the same number of outreach consultants as described in  
17 Section 52890 that were utilized by the school district in the  
18 2004–05 fiscal year.

19 (2) A school district shall place consultants in schools that have  
20 at least 50 percent of pupils eligible for the federal free and  
21 reduced-priced lunch program and that are eligible for funds under  
22 Title I of the federal No Child Left Behind Act of 2001 (20 U.S.C.  
23 Sec. 6301 et seq.).

24 (g) Early intervention for school success as set forth in Article  
25 4.5 (commencing with Section 54685) of Chapter 9 of Part 29 of  
26 Division 4, as it read on December 31, 2005.

27 (h) The early intervention program for at-risk pupils operated  
28 by the Los Angeles Unified School District as set forth in Section  
29 41 of Chapter 299 of the Statutes of 1997.

30 (i) (1) The targeted instructional improvement block grant as  
31 set forth in Article 6 (commencing with Section 41540) of Chapter  
32 3.2, as it read on December 31, 2009, including both of the  
33 following programs:

34 (A) Targeted instructional improvement as set forth in Chapter  
35 2.5 (commencing with Section 54200) of Part 29 of Division 4, as  
36 it read on December 31, 2005.

37 (B) Supplemental grants as set forth in Article 9 (commencing  
38 with Section 54760) of Chapter 9 of Part 29 of Division 4, as it  
39 read on December 31, 2005.

(2) In expending funds received pursuant to this article, a school district shall give first priority to funding the costs of a court-ordered desegregation program if the order exists and is still in force.

(j) Economic impact aid as set forth in Article 2 (commencing with Section 54020) of Chapter 1 of Part 29 of Division 4, as it read on December 31, 2009.

(k) Summer school as set forth in Article 4 (commencing with Section 37252) of Chapter 2 of Part 22, as it read on December 31, 2009.

(l) High Priority Schools Grant program as set forth in Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of Division 4, as it read on December 31, 2009.

(m) Supplemental instruction for pupils at risk of failing the high school exit examination as set forth in Section 37254, as it read on December 31, 2009.

(n) English Language Acquisition Program as set forth in Chapter 4 (commencing with Section 400) of Part 1 of Division 1 of Title 1, as it read on December 31, 2009.

(o) California School Age Families Education Program as set forth in Article 7.1 (commencing with Section 54740) of Chapter 9 of Part 29 of Division 4, as it read on December 31, 2009.

(p) Community day schools as set forth in Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of Division 4, as it read on December 31, 2009.

(q) Community-based English tutoring programs as set forth in Article 4 (commencing with Section 315) of Chapter 3 of Part 1 of Division 1 of Title 1.

(r) Educational services for foster youth as set forth in Chapter 11.3 (commencing with Section 42920), as it read on December 31, 2009.

(s) Advancement Via Individual Determination programs as funded pursuant to Item 6110-130-0001 of Section 2.00 of the annual Budget Act.

(t) Advanced placement fee waiver program as set forth in Section 52244, as it read on December 31, 2009.

41512. Commencing with the 2010–11 fiscal year, the amount of funding a school district receives pursuant to this article shall be adjusted for inflation and for growth as measured by the regular average daily attendance used to calculate the second principal

1 apportionment for kindergarten and grades 1 to 12, inclusive, as  
2 provided for in the annual Budget Act.

3  
4 Article 4. Supplemental Academic Support Block Grant  
5

6 41515. (a) There is hereby established the Supplemental  
7 Academic Support Block Grant. Notwithstanding any other  
8 provision of law, commencing with the 2009–10 fiscal year, the  
9 Superintendent shall apportion block grant funds to a school district  
10 in the same relative statewide proportion that the school district  
11 received in the 2008–09 fiscal year for the programs listed in  
12 Section 41516, adjusted for changes in program participation by  
13 school districts in the 2009–10 fiscal year and each fiscal year  
14 thereafter. For purposes of this subdivision, because of the  
15 circumstances of deferrals and deficits, funding received in the  
16 2008–09 fiscal year shall, include funding attributable to the  
17 2008–09 fiscal year regardless of the actual date of its receipt.

18 (b) A school district may expend funds received pursuant to  
19 this article for any purpose authorized by the programs listed in  
20 Section 41516.

21 (c) For purposes of this article, “school district” includes a  
22 county office of education if county offices of education are eligible  
23 to receive funds for the programs that are listed in Section 41516.  
24 The block grant of a county office of education shall be based only  
25 on those programs for which it was eligible to receive funds in the  
26 2008–09 fiscal year.

27 41516. The Supplemental Academic Support Block Grant shall  
28 include the funding previously apportioned to school districts for  
29 the purposes of the following programs:

30 (a) School library materials as set forth in Article 7 (commencing  
31 with Section 18180) of Chapter 2 of Part 11 of Division 1 of Title  
32 1, as it read on December 31, 2005.

33 (b) School improvement programs as set forth in Chapter 6  
34 (commencing with Section 52000) of Part 28 of Division 4, as it  
35 read on December 31, 2005.

36 (c) State Instructional Materials Fund as set forth in Article 3  
37 (commencing with Section 60240) of Chapter 2 of Part 33 of  
38 Division 4, as it read on December 31, 2009.

39 (d) Middle and High School Supplemental School Counseling  
40 Program as set forth in Article 4.5 (commencing with Section

1 52378) of Chapter 9 of Part 28 of Division 4, as it read on  
2 December 31, 2009.

3 (e) Arts and Music Block Grant as funded pursuant to Item  
4 6110-265-0001 of Section 2.00 of the annual Budget Act.

5 (f) Gifted and Talented Pupil Program as set forth in Chapter 8  
6 (commencing with Section 52200) of Part 28 of Division 4, as it  
7 read on December 31, 2009.

8 (g) Specialized secondary programs as set forth in Chapter 6  
9 (commencing with Section 58800) of Part 31 of Division 4, as it  
10 read on December 31, 2009.

11 (h) International Baccalaureate Diploma Program as authorized  
12 by Chapter 12.5 (commencing with Section 52920) of Part 28 of  
13 Division 4, as it read on December 31, 2009.

14 (i) Center for Civic Education as funded pursuant to Item  
15 6110-208-0001 of Section 2.00 of the annual Budget Act.

16 41517. Commencing with the 2010–11 fiscal year, the amount  
17 of funding a school district receives pursuant to this article shall  
18 be adjusted for inflation and for growth as measured by the regular  
19 average daily attendance used to calculate the second principal  
20 apportionment for kindergarten and grades 1 to 12, inclusive, as  
21 provided for in the annual Budget Act.

22

#### 23 Article 5. Supplemental Operational Support Block Grant

24

25 41520. (a) There is hereby established the Supplemental  
26 Operational Support Block Grant. Notwithstanding any other  
27 provision of law, commencing with the 2009–10 fiscal year, the  
28 Superintendent shall apportion block grant funds to a school district  
29 in the same relative statewide proportion that the school district  
30 received in the 2008–09 fiscal year for the programs listed in  
31 Section 41521, adjusted for changes in program participation by  
32 school districts in the 2009–10 fiscal year and each fiscal year  
33 thereafter. For purposes of this subdivision, because of the  
34 circumstances of deferrals and deficits, funding received in the  
35 2008–09 fiscal year shall, include funding attributable to the  
36 2008–09 fiscal year regardless of the actual date of its receipt.

37 (b) A school district may expend funds received pursuant to  
38 this article for any purpose authorized by the programs listed in  
39 Section 41521.

1 (c) For purposes of this article, “school district” includes a  
2 county office of education if county offices of education are eligible  
3 to receive funds for the programs that are listed in Section 41521.  
4 The block grant of a county office of education shall be based only  
5 on those programs for which it was eligible to receive funds in the  
6 2008–09 fiscal year.

7 41521. The Supplemental Operational Support Block Grant  
8 shall include the funding previously apportioned to school districts  
9 for the purposes of all of the following programs:

10 (a) Home-to-school transportation as set forth in Article 10  
11 (commencing with Section 41850) of Chapter 5, and small school  
12 district transportation as set forth in Article 4.5 (commencing with  
13 Section 42290) of Chapter 7, as those provisions read on December  
14 31, 2009.

15 (b) School Safety Consolidated Competitive Grant as set forth  
16 in Article 3 (commencing with Section 41510) of Chapter 3.2, as  
17 it read on December 31, 2009, including all of the following  
18 programs:

19 (1) Safe school planning and partnership minigrants as funded  
20 pursuant to Item 6110-226-0001 of Section 2.00 of the annual  
21 Budget Act.

22 (2) School community policing as set forth in Article 6  
23 (commencing with Section 32296) of Chapter 2.5 of Part 19 of  
24 Division 1 of Title 1, as it read on December 31, 2007.

25 (3) Gang risk intervention programs as set forth in Chapter 5.5  
26 (commencing with Section 58730) of Part 31 of Division 4, as it  
27 read on December 31, 2005.

28 (4) Safety plans for new schools as funded pursuant to Item  
29 6110-228-0001 of Section 2.00 of the annual Budget Act. Grant  
30 funds distributed to a school district in order to carry out the  
31 purpose of this subdivision are additional revenue within the  
32 meaning of subdivision (e) of Section 17556 of the Government  
33 Code for any reimbursable mandated cost claim for the  
34 development of school safety plans as required by Section 32281.  
35 A school district that accepts funds in order to implement this  
36 subdivision shall reduce its estimated and actual mandate  
37 reimbursement claim by the amount of funding provided to it in  
38 order to implement this subdivision.

39 (5) School community violence prevention as funded pursuant  
40 to Item 6110-228-0001 of Section 2.00 of the annual Budget Act.

1 (6) Conflict resolution as funded pursuant to Item  
2 6110-228-0001 of Section 2.00 of the annual Budget Act.

3 (c) Educational technology as set forth in Chapter 3.34  
4 (commencing with Section 44730) of Part 25 and Article 15  
5 (commencing with Section 51870) of Chapter 5 of Part 28 of  
6 Division 4, as it read on December 31, 2009.

7 41522. Commencing with the 2010–11 fiscal year, the amount  
8 of funding a school district receives pursuant to this article shall  
9 be adjusted for inflation and for growth as measured by the regular  
10 average daily attendance used to calculate the second principal  
11 apportionment for kindergarten and grades 1 to 12, inclusive, as  
12 provided for in the annual Budget Act.

13  
14 Article 6. Supplemental Career Technical Education Block  
15 Grant  
16

17 41525. (a) There is hereby established the Supplemental Career  
18 Technical Education Block Grant. Notwithstanding any other  
19 provision of law, commencing with the 2009–10 fiscal year, the  
20 Superintendent shall apportion block grant funds to a school district  
21 in the same relative statewide proportion that the school district  
22 received in the 2008–09 fiscal year for the programs listed in  
23 Section 41526, adjusted for changes in program participation by  
24 school districts in the 2009–10 fiscal year and each fiscal year  
25 thereafter. For purposes of this subdivision, because of the  
26 circumstances of deferrals and deficits, funding received in the  
27 2008–09 fiscal year shall, include funding attributable to the  
28 2008–09 fiscal year regardless of the actual date of its receipt.

29 (b) A school district may expend funds received pursuant to  
30 this article for any purpose authorized by the programs listed in  
31 Section 41526.

32 (c) For purposes of this article “school district” includes a county  
33 office of education if county offices of education are eligible to  
34 receive funds for the programs that are listed in Section 41526.  
35 The block grant of a county office of education shall be based only  
36 on those programs for which it was eligible to receive funds in the  
37 2008–09 fiscal year.

38 41526. The Supplemental Career Technical Education Block  
39 Grant shall include the funding previously apportioned to school  
40 districts for the purposes of the following programs:



1 (a) Partnership academies as set forth in Article 5 (commencing  
2 with Section 54690) of Chapter 9 of Part 29 of Division 4, as it  
3 read on December 31, 2009.

4 (b) Apprenticeship education as set forth in Article 8  
5 (commencing with Section 8150) of Chapter 1 of Part 6 of Division  
6 1 of Title 1, as it read on December 31, 2009.

7 (c) Agricultural Career Technical Education Incentive Program  
8 as set forth in Article 7.5 (commencing with Section 52460) of  
9 Chapter 9 of Part 28 of Division 4, as it read on December 31,  
10 2009.

11 41527. Commencing with the 2010–11 fiscal year, the amount  
12 of funding a school district receives pursuant to this article shall  
13 be adjusted for inflation and for growth as measured by the regular  
14 average daily attendance used to calculate the second principal  
15 apportionment for kindergarten and grades 1 to 12, inclusive, as  
16 provided for in the annual Budget Act.

17  
18 Article 7. Supplemental Pupil Support Block Grant  
19

20 41530. (a) There is hereby established the Supplemental Pupil  
21 Support Block Grant. Notwithstanding any other provision of law,  
22 commencing with the 2009–10 fiscal year, the Superintendent  
23 shall apportion block grant funds to a school district in the same  
24 relative statewide proportion that the school district received in  
25 the 2008–09 fiscal year for the programs listed in Section 41531,  
26 adjusted for changes in program participation by school districts  
27 in the 2009–10 fiscal year and each fiscal year thereafter. For  
28 purposes of this subdivision, funding received in the 2008–09  
29 fiscal year shall, because of the circumstances of deferrals and  
30 deficits, include funding attributable to the 2008–09 fiscal year  
31 regardless of the actual date of its receipt.

32 (b) A school district may expend funds received pursuant to  
33 this article for any purpose authorized by the programs listed in  
34 Section 41531.

35 (c) For purposes of this article, “school district” includes a  
36 county office of education if county offices of education are eligible  
37 to receive funds for the programs that are listed in Section 41531.  
38 The block grant of a county office of education shall be based only  
39 on those programs for which it was eligible to receive funds in the  
40 2008–09 fiscal year.

1 41531. The Supplemental Pupil Support Block Grant shall  
2 include the funding previously apportioned to school districts for  
3 the purposes of all of the following programs:

4 (a) After School and Education Safety Program as set forth in  
5 Article 22. 5 (commencing with Section 8482) of Chapter 2 of  
6 Part 6 of Division 1 of Title 1.

7 (b) Child nutrition programs as set forth in Sections 41311,  
8 49501, 49536, 49550, 49552, and 49559 and Article 11.5  
9 (commencing with Section 49565) of Chapter 9 of Part 27 of  
10 Division 4, as those provisions read on December 31, 2009.

11 (c) Oral health assessments as set forth in Section 49452.8, as  
12 it read on December 31, 2009.

13 (d) Child nutrition breakfast and summer food service program  
14 as set forth in Article 11 (commencing with Section 49550) of  
15 Chapter 9 of Part 27 of Division 4, as it read on December 31,  
16 2009.

17 (e) American Indian Early Childhood Education Program as set  
18 forth in Chapter 6.5 (commencing with Section 52060) of Part 28  
19 of Division 4, as it read on December 31, 2009.

20 (f) Pupil leadership activities as funded pursuant to Item  
21 6110-242-0001 of Section 2.00 of the annual Budget Act.

22 41532. Commencing with the 2010–11 fiscal year, the amount  
23 of funding a school district receives pursuant to this article shall  
24 be adjusted for inflation and for growth as measured by the regular  
25 average daily attendance used to calculate the second principal  
26 apportionment for kindergarten and grades 1 to 12, inclusive, as  
27 provided for in the annual Budget Act.

28 SEC. 8. Article 10 (commencing with Section 41850) of  
29 Chapter 5 of Part 24 of Division 3 of Title 2 of the Education Code  
30 is repealed.

31 SEC. 9. Section 42243.7 of the Education Code is repealed.

32 ~~42243.7. (a) For any school district that commenced operations~~  
33 ~~on or after June 30, 1978, or for any school district that receives~~  
34 ~~approval from the department for a new continuation education~~  
35 ~~high school for the 1979–80 fiscal year, or any fiscal year~~  
36 ~~thereafter, the Superintendent of Public Instruction shall compute~~  
37 ~~an adjustment to the district revenue limit pursuant to this section.~~

38 ~~(b) Determine the amount of foundation program that the district~~  
39 ~~would have been entitled to pursuant to subdivision (a) of Section~~  
40 ~~41711, as that section read on July 1, 1977, if the district had~~

1 operated during the 1977–78 fiscal year, utilizing the number of  
2 units of average daily attendance attending high school in the  
3 district in the fiscal year for which the revenue limit is being  
4 computed.

5 (e) Determine the amount of foundation program that the district  
6 would have been entitled to pursuant to paragraph (1) of  
7 subdivision (b) of Section 41711, as that section read on July 1,  
8 1977, if the district had operated during the 1977–78 fiscal year,  
9 utilizing the same number of units of average daily attendance  
10 used in subdivision (b) of this section.

11 (d) Subtract the amount determined pursuant to subdivision (c)  
12 from the amount computed pursuant to subdivision (b).

13 (e) The amount computed pursuant to subdivision (d), if greater  
14 than zero, shall be added to the revenue limit computed pursuant  
15 to subdivision (c) of Section 42237 or pursuant to Section 42238.  
16 If the amount in subdivision (d) is less than zero there is no  
17 adjustment.

18 (f) The Superintendent of Public Instruction shall reduce by the  
19 amount computed pursuant to subdivision (e) the revenue limit  
20 computed pursuant to Section 42238 of any district discontinuing  
21 the operation of a continuation education school approved pursuant  
22 to subdivision (a).

23 (g) (1) For the 1994–95 to 2002–03 fiscal years, inclusive, the  
24 adjustment computed pursuant to this section may not be adjusted  
25 by the deficit factor applied to the revenue limit of each school  
26 district pursuant to Section 42238.145.

27 (2) For the 2003–04 fiscal year and each fiscal year thereafter,  
28 the revenue limit reduction specified in Section 42238.146 may  
29 not be applied to the adjustment computed pursuant to this section.

30 (h) The adjustment computed pursuant to this section for a new  
31 continuation education high school may be applicable for any  
32 unified school district that was not fully operational during the  
33 first year of operation of the continuation education high school.  
34 The number of units of average daily attendance to be used in  
35 computing the adjustment shall be the number of units of average  
36 daily attendance generated by the continuation education high  
37 school in the district for the first year that the district is fully  
38 operational in all grades.

39 (i) In the 1998–99 fiscal year and each fiscal year thereafter,  
40 the ranges of average daily attendance resulting from the

1 calculation set forth in this section pursuant to Section 41711, as  
2 that section read on July 1, 1977, shall be reduced by the statewide  
3 average percentage that absences excused pursuant to subdivision  
4 (b) of Section 46010, as that section read on July 1, 1996, were of  
5 total second principal apportionment regular average daily  
6 attendance for high schools in 1996-97, with the reduced ranges  
7 then rounded to the nearest integer.

8 (j) Commencing with the 2005-06 fiscal year and  
9 notwithstanding any provision of law, the amount of the adjustment  
10 calculated pursuant to this section shall not be added to the revenue  
11 limit of a school district, but shall be used in determining the  
12 amount of the pupil retention block grant awarded a school district  
13 pursuant to Article 1 (commencing with Section 41500) of Chapter  
14 3.2.

15 SEC. 10. Article 4.5 (commencing with Section 42290) of  
16 Chapter 7 of Part 24 of Division 3 of Title 2 of the Education Code  
17 is repealed.

18 SEC. 11. Chapter 11.3 (commencing with Section 42920) of  
19 Part 24 of Division 3 of Title 2 of the Education Code is repealed.

20 SEC. 12. Article 4.5 (commencing with Section 44279.1) of  
21 Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code  
22 is repealed.

23 SEC. 13. Article 11 (commencing with Section 44380) of  
24 Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code  
25 is repealed.

26 SEC. 14. Article 12 (commencing with Section 44390) of  
27 Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code  
28 is repealed.

29 SEC. 15. Article 13 (commencing with Section 44395) of  
30 Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code  
31 is repealed.

32 SEC. 16. Article 4.5 (commencing with Section 44500) of  
33 Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code  
34 is repealed.

35 SEC. 17. Article 4.6 (commencing with Section 44510) of  
36 Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code  
37 is repealed.

38 SEC. 18. Article 6 (commencing with Section 44560) of  
39 Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code  
40 is repealed.

1 SEC. 19. Chapter 3.34 (commencing with Section 44730) of  
2 Part 25 of Division 3 of Title 2 of the Education Code is repealed.

3 SEC. 20. Chapter 3.36 (commencing with Section 44735) of  
4 Part 25 of Division 3 of Title 2 of the Education Code is repealed.

5 SEC. 21. Section 47634 is added to the Education Code, to  
6 read:

7 47634. (a) In each fiscal year, the Superintendent shall  
8 calculate a categorical block grant for each charter school as  
9 follows:

10 (1) Subtract the statewide total amount of funding per identified  
11 educationally disadvantaged pupil received by school districts in  
12 the current fiscal year pursuant to Article 2 (commencing with  
13 Section 54020) of Chapter 1 of Part 29, as it read on December  
14 31, 2009, from the statewide total amount of funding appropriated  
15 in the current fiscal year for purposes of the programs included in  
16 the block grants established in Chapter 3.2 (commencing with  
17 Section 41500) of Part 24 of Division 3.

18 (2) Divide the amount calculated in paragraph (1) by the  
19 statewide total average daily attendance, as determined at the  
20 second principal apportionment for the current fiscal year.

21 (3) Multiply the amount calculated in paragraph (2) by the  
22 average daily attendance of the charter school, as determined at  
23 the second principal apportionment of the current fiscal year.

24 (4) Multiply the statewide average amount, as computed by the  
25 Superintendent, of funding per identified educationally  
26 disadvantaged pupil received by school districts in the current  
27 fiscal year pursuant to Article 2 (commencing with Section 54020)  
28 of Chapter 1 of Part 29, as it read on December 31, 2009, by the  
29 number of educationally disadvantaged pupils enrolled in the  
30 charter school. The resulting amount, if greater than zero, shall  
31 not be less than the minimum amount of economic impact aid  
32 funding to which a school district of similar size would be entitled  
33 pursuant to Section 54022, as it read on December 31, 2009. For  
34 purposes of this subdivision, a pupil who is eligible for subsidized  
35 meals pursuant to Section 49552, as it read on December 31, 2009,  
36 and is identified as an English learner pursuant to subdivision (a)  
37 of Section 306 shall count as two pupils.

38 (5) Add the amounts calculated in paragraphs (3) and (4). The  
39 resulting amount shall be the charter school categorical block grant  
40 that the Superintendent shall apportion to each charter school from

1 funds appropriated for this purpose in the annual Budget Act or  
2 another statute.

3 (b) Notwithstanding any other provision of law, a charter school  
4 shall not separately apply for funding pursuant to any of the  
5 categorical programs included in the block grants established in  
6 Chapter 3.2 (commencing with Section 41500) of Part 24 of  
7 Division 3.

8 SEC. 22. Section 47634.1 of the Education Code is repealed.

9 ~~47634.1. (a) Notwithstanding subdivision (a) of Section 47634,~~  
10 ~~a categorical block grant for charter schools for the 2005–06 fiscal~~  
11 ~~year shall be calculated as follows:~~

12 ~~(1) The Superintendent shall divide the total amount of funding~~  
13 ~~appropriated for the purpose of this block grant in the annual~~  
14 ~~Budget Act or another statute, less the total amount calculated in~~  
15 ~~paragraph (2), by the statewide total of charter school average~~  
16 ~~daily attendance, as determined at the second principal~~  
17 ~~apportionment for the 2005–06 fiscal year.~~

18 ~~(2) The statewide average amount, as computed by the~~  
19 ~~Superintendent, of funding per identified educationally~~  
20 ~~disadvantaged pupil received by school districts in the current~~  
21 ~~fiscal year pursuant to Article 2 (commencing with Section 54020)~~  
22 ~~of Chapter 1 of Part 29. This amount shall be multiplied by the~~  
23 ~~number of educationally disadvantaged pupils enrolled in the~~  
24 ~~charter school. The resulting amount, if greater than zero, may not~~  
25 ~~be less than the minimum amount of Economic Impact Aid funding~~  
26 ~~to which a school district of similar size would be entitled pursuant~~  
27 ~~to Section 54022. For purposes of this subdivision, a pupil who is~~  
28 ~~eligible for subsidized meals pursuant to Section 49552 and is~~  
29 ~~identified as an English learner pursuant to subdivision (a) of~~  
30 ~~Section 306 shall count as two pupils.~~

31 ~~(3) For each charter school, the Superintendent shall multiply~~  
32 ~~the amount calculated in paragraph (1) by the school's average~~  
33 ~~daily attendance as determined at the second principal~~  
34 ~~apportionment for the 2005–06 fiscal year.~~

35 ~~(4) The Superintendent shall add the amounts computed in~~  
36 ~~paragraphs (2) and (3). The resulting amount shall be the charter~~  
37 ~~school categorical block grant that the Superintendent shall~~  
38 ~~apportion to each charter school from funds appropriated for this~~  
39 ~~purpose in the annual Budget Act or another statute. The~~  
40 ~~Superintendent shall allocate an advance payment of this grant as~~

1 early as possible, but no later than October 31, 2005, based on  
2 prior year average daily attendance as determined at the second  
3 principal apportionment or, for a charter school in its first year of  
4 operation that commences instruction on or before September 30,  
5 2005, on estimates of average daily attendance for the current fiscal  
6 year determined pursuant to Section 47652.

7 (b) (1) For the 2006–07 fiscal year, the categorical block grant  
8 allocated by the Superintendent for charter schools shall be four  
9 hundred dollars (\$400) per unit of charter school average daily  
10 attendance as determined at the second principal apportionment  
11 for the 2006–07 fiscal year. This amount shall be supplemented  
12 by the amount calculated in paragraph (2).

13 (2) The statewide average amount, as computed by the  
14 Superintendent, of funding per economic impact aid-eligible pupil  
15 count received by school districts in the current fiscal year,  
16 pursuant to Article 2 (commencing with Section 54020) of Chapter  
17 1 of Part 29, shall be multiplied by the number of economic impact  
18 aid-eligible pupils enrolled in the charter school. The resulting  
19 amount, if greater than zero, may not be less than the minimum  
20 amount of Economic Impact Aid funding to which a school district  
21 of similar size would be entitled pursuant to Section 54022.

22 (c) (1) For the 2007–08 fiscal year, the categorical block grant  
23 allocated by the Superintendent for charter schools shall be five  
24 hundred dollars (\$500) per unit of charter school average daily  
25 attendance as determined at the second principal apportionment  
26 for the 2007–08 fiscal year. For each fiscal year thereafter, this  
27 per unit amount shall be adjusted for the cost-of-living adjustment,  
28 as determined pursuant to Section 42238.1, for that fiscal year.  
29 This amount shall be supplemented in the 2007–08 fiscal year and  
30 each fiscal year thereafter by the amount calculated in paragraph  
31 (2).

32 (2) The statewide average amount, as computed by the  
33 Superintendent, of funding per economic impact aid-eligible pupil  
34 count received by school districts in the current year, pursuant to  
35 Article 2 (commencing with Section 54020) of Chapter 1 of Part  
36 29, shall be multiplied by the number of economic impact  
37 aid-eligible pupils enrolled in the charter school. The resulting  
38 amount, if greater than zero, may not be less than the minimum  
39 amount of Economic Impact Aid funding to which a school district  
40 of similar size would be entitled pursuant to Section 54022.

~~(d) It is the intent of the Legislature to fully fund the categorical block grant for charter schools as specified in this section and to appropriate additional funding that may be needed in order to compensate for unanticipated increases in average daily attendance and counts of economic impact aid-eligible pupils, pursuant to Article 2 (commencing with Section 54020) of Chapter 1 of Part 29, in charter schools. In any fiscal year in which the department identifies a deficiency in the categorical block grant, the department shall identify the available balance for programs that count towards meeting the requirements of Section 8 of Article XVI of the California Constitution and have unobligated funds for the year. On or before July 1, the department shall provide the Department of Finance with a list of those programs and their available balances, and the amount of the deficiency, if any, in the categorical block grant. Within 45 days of the receipt of a notification of deficiency, the Director of Finance shall verify the amount of the deficiency in the categorical block grant and direct the Controller to transfer an amount, equal to the lesser of the amount available or the amount needed to fully fund the categorical block grant, from those programs to the categorical block grant. The Department of Finance shall notify the Joint Legislative Budget Committee within 30 days of any transfer made pursuant to this section.~~

~~(e) Commencing October 1, 2007, the Legislative Analyst's Office shall triennially convene a work group to review, commencing with appropriations proposed for the 2008-09 fiscal year, the appropriateness of the funding level provided by the categorical block grant established in this section.~~

~~(f) Categorical block grant funding may be used for any purpose determined by the governing body of the charter school.~~

SEC. 23. Section 47634.4 of the Education Code is repealed.

~~47634.4. (a) A charter school that elects to receive its funding directly, pursuant to Section 47651, may apply individually for federal and state categorical programs, not excluded in this section, but only to the extent it is eligible for funding and meets the provisions of the program. For purposes of determining eligibility for, and allocation of, state or federal categorical aid, a charter school that applies individually shall be deemed to be a school district, except as otherwise provided in this chapter.~~

~~(b) A charter school that does not elect to receive its funding directly, pursuant to Section 47651, may, in cooperation with its~~



1 ~~chartering authority, apply for federal and state categorical~~  
2 ~~programs not specified in this section, but only to the extent it is~~  
3 ~~eligible for funding and meets the provisions of the program.~~

4 ~~(e) Notwithstanding any other provision of law, for the 2006-07~~  
5 ~~fiscal year and each fiscal year thereafter, a charter school may~~  
6 ~~not apply directly for categorical programs for which services are~~  
7 ~~exclusively or almost exclusively provided by a county office of~~  
8 ~~education.~~

9 ~~(d) Consistent with subdivision (c), a charter school may not~~  
10 ~~receive direct funding for any of the following county-administered~~  
11 ~~categorical programs:~~

12 ~~(1) American Indian Education Centers.~~

13 ~~(2) The California Association of Student Councils.~~

14 ~~(3) California Technology Assistance Project established~~  
15 ~~pursuant to Article 15 (commencing with Section 51870) of~~  
16 ~~Chapter 5 of Part 28.~~

17 ~~(4) The Center for Civic Education.~~

18 ~~(5) County Office Fiscal Crisis and Management Assistance~~  
19 ~~Team.~~

20 ~~(6) The K-12 High Speed Network.~~

21 ~~(e) A charter school may apply separately for district-level or~~  
22 ~~school-level grants associated with any of the categorical programs~~  
23 ~~specified in subdivision (d).~~

24 ~~(f) Notwithstanding any other provision of law, for the 2006-07~~  
25 ~~fiscal year and each fiscal year thereafter, in addition to the~~  
26 ~~programs listed in subdivision (d), a charter school may not apply~~  
27 ~~for any of the following categorical programs:~~

28 ~~(1) Agricultural Career Technical Education Incentive Program,~~  
29 ~~as set forth in Article 7.5 (commencing with Section 52460) of~~  
30 ~~Chapter 9 of Part 28.~~

31 ~~(2) Bilingual Teacher Training Assistance Program, as set forth~~  
32 ~~in Article 4 (commencing with Section 52180) of Chapter 7 of~~  
33 ~~Part 28.~~

34 ~~(3) California Peer Assistance and Review Program for~~  
35 ~~Teachers, as set forth in Article 4.5 (commencing with Section~~  
36 ~~44500) of Chapter 3 of Part 25.~~

37 ~~(4) College preparation programs, as set forth in Chapter 12~~  
38 ~~(commencing with Section 11020) of Part 7, Chapter 8.3~~  
39 ~~(commencing with Section 52240) of Part 28, and Chapter 8~~  
40 ~~(commencing with Section 60830) of Part 33.~~

- 1     ~~(5) English Language Acquisition Program, as set forth in~~  
2     ~~Chapter 4 (commencing with Section 400) of Part 1.~~
- 3     ~~(6) Foster youth programs pursuant to Chapter 11.3~~  
4     ~~(commencing with Section 42920) of Part 24.~~
- 5     ~~(7) Gifted and talented pupil programs pursuant to Chapter 8~~  
6     ~~(commencing with Section 52200) of Part 28.~~
- 7     ~~(8) Home-to-school transportation programs, as set forth in~~  
8     ~~Article 2 (commencing with Section 39820) of Chapter 1 of Part~~  
9     ~~23.5 and Article 10 (commencing with Section 41850) of Chapter~~  
10    ~~5 of Part 24.~~
- 11    ~~(9) International Baccalaureate Diploma Program, as set forth~~  
12    ~~in Chapter 12.5 (commencing with Section 52920) of Part 28.~~
- 13    ~~(10) Mathematics and Reading Professional Development~~  
14    ~~Program, as set forth in Article 3 (commencing with Section 99230)~~  
15    ~~of Chapter 5 of Part 65.~~
- 16    ~~(11) Principal Training Program, as set forth in Article 4.6~~  
17    ~~(commencing with Section 44510) of Chapter 3 of Part 25.~~
- 18    ~~(12) Professional Development Block Grant, as set forth in~~  
19    ~~Article 5 (commencing with Section 41530) of Chapter 3.2 of Part~~  
20    ~~24.~~
- 21    ~~(13) Program to Reduce Class Size in Two Courses in Grade 9~~  
22    ~~(formerly The Morgan-Hart Class Size Reduction Act of 1989),~~  
23    ~~as set forth in Chapter 6.8 (commencing with Section 52080) of~~  
24    ~~Part 28.~~
- 25    ~~(14) Pupil Retention Block Grant, as set forth in Article 2~~  
26    ~~(commencing with Section 41505) of Chapter 3.2 of Part 24.~~
- 27    ~~(15) Reader services for blind teachers, as set forth in Article~~  
28    ~~8.5 (commencing with Section 45370) of Chapter 5 of Part 25.~~
- 29    ~~(16) School and Library Improvement Block Grant, as set forth~~  
30    ~~in Article 7 (commencing with Section 41570) of Chapter 3.2 of~~  
31    ~~Part 24.~~
- 32    ~~(17) School Safety Consolidated Competitive Grant, as set forth~~  
33    ~~in Article 3 (commencing with Section 41510) of Chapter 3.2 of~~  
34    ~~Part 24.~~
- 35    ~~(18) School safety programs, as set forth in Article 3.6~~  
36    ~~(commencing with Section 32228) and Article 3.8 (commencing~~  
37    ~~with Section 32239.5) of Chapter 2 of Part 19.~~
- 38    ~~(19) Specialized secondary schools pursuant to Chapter 6~~  
39    ~~(commencing with Section 58800) of Part 31.~~

~~(20) State Instructional Materials Fund, as set forth in Article 3 (commencing with Section 60240) of Chapter 2 of Part 33.~~

~~(21) Targeted Instructional Improvement Block Grant, as set forth in Article 6 (commencing with Section 41540) of Chapter 3.2 of Part 24.~~

~~(22) Teacher dismissal apportionment, as set forth in Section 44944.~~

~~(23) The deferred maintenance program, as set forth in Article 1 (commencing with Section 17565) of Chapter 5 of Part 10.5.~~

~~(24) The General Fund contribution to the State Instructional Materials Fund pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33.~~

~~(25) Year-Round School Grant Program, as set forth in Article 3 (commencing with Section 42260) of Chapter 7 of Part 24.~~

SEC. 24. Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of Division 4 of Title 2 of the Education Code is repealed.

SEC. 25. Section 49452.8 of the Education Code is repealed.

~~49452.8. (a) A pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, no later than May 31 of the school year, shall present proof of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional operating within his or her scope of practice, that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil.~~

~~(b) The parent or legal guardian of a pupil may be excused from complying with subdivision (a) by indicating on the form described in subdivision (d) that the oral health assessment could not be completed because of one or more of the reasons provided in subparagraphs (A) to (C), inclusive, of paragraph (2) of subdivision (d).~~

~~(c) A public school shall notify the parent or legal guardian of a pupil described in subdivision (a) concerning the assessment requirement. The notification, at a minimum, shall consist of a letter that includes all of the following:~~

~~(1) An explanation of the administrative requirements of this section.~~

~~(2) Information on the importance of primary teeth.~~

1     ~~(3) Information on the importance of oral health to overall health~~  
2     ~~and to learning.~~

3     ~~(4) A toll-free telephone number to request an application for~~  
4     ~~Healthy Families, Medi-Cal, or other government-subsidized health~~  
5     ~~insurance programs.~~

6     ~~(5) Contact information for county public health departments.~~

7     ~~(6) A statement of privacy applicable under state and federal~~  
8     ~~laws and regulations.~~

9     ~~(d) In order to ensure uniform data collection, the department,~~  
10    ~~in consultation with interested persons, shall develop and make~~  
11    ~~available on the Internet Web site of the department, a standardized~~  
12    ~~notification form as specified in subdivision (c) that shall be used~~  
13    ~~by each school district. The standardized form shall include all of~~  
14    ~~the following:~~

15    ~~(1) A section that can be used by the licensed dentist or other~~  
16    ~~licensed or registered dental health professional performing the~~  
17    ~~assessment to record information that is consistent with the~~  
18    ~~information collected on the oral health assessment form developed~~  
19    ~~by the Association of State and Territorial Dental Directors.~~

20    ~~(2) A section in which the parent or legal guardian of a pupil~~  
21    ~~can indicate the reason why an assessment could not be completed~~  
22    ~~by marking the box next to the appropriate reason. The reasons~~  
23    ~~for not completing an assessment shall include all of the following:~~

24    ~~(A) Completion of an assessment poses an undue financial~~  
25    ~~burden on the parent or legal guardian.~~

26    ~~(B) Lack of access by the parent or legal guardian to a licensed~~  
27    ~~dentist or other licensed or registered dental health professional.~~

28    ~~(C) The parent or legal guardian does not consent to an~~  
29    ~~assessment.~~

30    ~~(e) Upon receiving completed assessments, all school districts,~~  
31    ~~by December 31 of each year, shall submit a report to the county~~  
32    ~~office of education of the county in which the school district is~~  
33    ~~located. The report shall include all of the following:~~

34    ~~(1) The total number of pupils in the district, by school, who~~  
35    ~~are subject to the requirement to present proof of having received~~  
36    ~~an oral health assessment pursuant to subdivision (a).~~

37    ~~(2) The total number of pupils described in paragraph (1) who~~  
38    ~~present proof of an assessment.~~

39    ~~(3) The total number of pupils described in paragraph (1) who~~  
40    ~~could not complete an assessment due to financial burden.~~

1     ~~(4) The total number of pupils described in paragraph (1) who~~  
2     ~~could not complete an assessment due to lack of access to a~~  
3     ~~licensed dentist or other licensed or registered dental health~~  
4     ~~professional.~~

5     ~~(5) The total number of pupils described in paragraph (1) who~~  
6     ~~could not complete an assessment because their parents or legal~~  
7     ~~guardians did not consent to their child receiving the assessment.~~

8     ~~(6) The total number of pupils described in paragraph (1) who~~  
9     ~~are assessed and found to have untreated decay.~~

10    ~~(7) The total number of pupils described in paragraph (1) who~~  
11    ~~did not return either the assessment form or the waiver request to~~  
12    ~~the school.~~

13    ~~(f) Each county office of education shall maintain the data~~  
14    ~~described in subdivision (e) in a manner that allows the county~~  
15    ~~office to release it upon request.~~

16    ~~(g) This section does not prohibit any of the following:~~

17    ~~(1) County offices of education from sharing aggregate data~~  
18    ~~collected pursuant to this section with other governmental agencies,~~  
19    ~~philanthropic organizations, or other nonprofit organizations for~~  
20    ~~the purpose of data analysis.~~

21    ~~(2) Use of assessment data that is compliant with the federal~~  
22    ~~Health Insurance Portability and Accountability Act of 1996 (P.L.~~  
23    ~~104-191) for purposes of conducting research and analysis on the~~  
24    ~~oral health status of public school pupils in California.~~

25    ~~(h) This section does not preclude a school district or county~~  
26    ~~office of education from developing a schoolsite-based oral health~~  
27    ~~assessment program to meet the requirements of this section.~~

28    ~~(i) The Office of Oral Health of the Chronic Disease Control~~  
29    ~~Branch of the State Department of Public Health shall conduct an~~  
30    ~~evaluation of the requirements imposed by this section and prepare~~  
31    ~~and submit a report to the Legislature by January 1, 2010, that~~  
32    ~~discusses improvements in the oral health of children resulting~~  
33    ~~from the imposition of those requirements. The Office of Oral~~  
34    ~~Health may receive private funds and contract with the University~~  
35    ~~of California to fulfill the duties described in this subdivision.~~

36    ~~(j) Funds appropriated in the annual Budget Act for the activities~~  
37    ~~required by this section shall first be used to offset reimbursement~~  
38    ~~provided to local educational agencies pursuant to Part 7~~  
39    ~~(commencing with Section 17500) of Division 4 of Title 2 of the~~  
40    ~~Government Code for state-mandated costs imposed by this section.~~

1 SEC. 26. Section 49501 of the Education Code is repealed.

2 ~~49501. The governing board of any school district may, for~~  
3 ~~purposes of Section 49500, establish rules by which to determine~~  
4 ~~which pupils are needy except for family day care homes which~~  
5 ~~shall be reimbursed for 75 percent of the meals served. For~~  
6 ~~purposes of this article, any pupil within the category of children~~  
7 ~~eligible for aid or services under Chapter 2 (commencing with~~  
8 ~~Section 11200) of Part 3 of Division 9 of the Welfare and~~  
9 ~~Institutions Code shall be deemed needy.~~

10 The amendments to this section enacted by the Legislature in  
11 the 1981 portion of the 1981–82 Regular Session of the Legislature  
12 shall apply retroactively to July 1, 1981, to the extent that they  
13 may legally do so.

14 SEC. 27. Section 49536 of the Education Code is repealed.

15 ~~49536. The State Department of Education shall, prior to July~~  
16 ~~1 of each year, prescribe an adjustment in the state meal~~  
17 ~~contribution rates established pursuant to this section for the~~  
18 ~~forthcoming fiscal year. The adjustments shall reflect the changes~~  
19 ~~in the cost of operating a school breakfast and lunch program and~~  
20 ~~shall be made commencing on July 1 of each year. The adjustment~~  
21 ~~shall be the average of the separate indices of the “Food Away~~  
22 ~~From Home Index” for Los Angeles and San Francisco as prepared~~  
23 ~~by the United States Bureau of Labor Statistics.~~

24 ~~In giving effect to the cost-of-living provisions of this section,~~  
25 ~~the Department of Education shall use the same month for~~  
26 ~~computation of the percentage change in the cost of living after~~  
27 ~~July 1, 1975. The same month shall be used annually thereafter.~~  
28 ~~The product of any percentage increase or decrease in the average~~  
29 ~~index and the per meal reimbursement disbursement rate shall be~~  
30 ~~adjusted by the amount of any cost-of-living change currently in~~  
31 ~~effect pursuant to the provisions of this section.~~

32 ~~Commencing with the 1990–91 fiscal year, the cost-of-living~~  
33 ~~adjustment shall be equal to the percentage change determined~~  
34 ~~pursuant to subdivision (b) of Section 42238.1.~~

35 SEC. 28. Article 11 (commencing with Section 49550) of  
36 Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code  
37 is repealed.

38 SEC. 29. Article 11.5 (commencing with Section 49565) of  
39 Chapter 9 of Part 27 of Division 4 of Title 2 of the Education Code  
40 is repealed.

1 SEC. 30. Article 15 (commencing with Section 51870) of  
2 Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code  
3 is repealed.

4 SEC. 31. Article 3.5 (commencing with Section 52055.600)  
5 of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education  
6 Code is repealed.

7 SEC. 32. Chapter 6.5 (commencing with Section 52060) of  
8 Part 28 of Division 4 of Title 2 of the Education Code is repealed.

9 SEC. 33. Article 4 (commencing with Section 52180) of  
10 Chapter 7 of Part 28 of Division 4 of Title 2 of the Education Code  
11 is repealed.

12 SEC. 34. Chapter 8 (commencing with Section 52200) of Part  
13 28 of Division 4 of Title 2 of the Education Code is repealed.

14 SEC. 35. Section 52244 of the Education Code is repealed.

15 ~~52244. (a) There is hereby established a grant program for the~~  
16 ~~purpose of awarding grants to cover the costs of advanced~~  
17 ~~placement fees or International Baccalaureate examination fees,~~  
18 ~~or both, for eligible economically disadvantaged high school pupils.~~  
19 ~~The department shall administer this program.~~

20 ~~(b) An “eligible economically disadvantaged high school pupil”~~  
21 ~~means a pupil who is either from a family whose annual household~~  
22 ~~income is below 200 percent of the federal poverty level or a pupil~~  
23 ~~who is eligible for a federal free or reduced-price meal program.~~

24 ~~(c) A school district may apply to the department for grant~~  
25 ~~funding pursuant to this section, based on the number of~~  
26 ~~economically disadvantaged pupils in the district enrolled in~~  
27 ~~advanced placement courses who will take the next offered~~  
28 ~~advanced placement examinations. A school district that applies~~  
29 ~~to the department for this purpose shall designate school district~~  
30 ~~staff to whom pupils may submit applications for grants and shall~~  
31 ~~institute a plan to notify pupils of the availability of financial~~  
32 ~~assistance pursuant to this section. Grants shall be expended only~~  
33 ~~to pay the fees required of eligible economically disadvantaged~~  
34 ~~high school pupils to take an advanced placement or International~~  
35 ~~Baccalaureate examination, or both.~~

36 ~~(d) An eligible economically disadvantaged high school pupil~~  
37 ~~who is enrolled in an advanced placement or International~~  
38 ~~Baccalaureate course, or both, may apply to the designated school~~  
39 ~~district staff for a grant pursuant to this section. A pupil who~~  
40 ~~receives a grant shall pay five dollars (\$5) of the examination fee.~~

1     ~~(e) School districts and county superintendents of schools may~~  
2     ~~join together and form collaboratives or consortia in order to~~  
3     ~~participate in the grant program established by this section.~~

4     ~~(f) Grants provided pursuant to this section may not be used to~~  
5     ~~supplant fee waivers available to low-income pupils who take~~  
6     ~~advanced placement or International Baccalaureate examinations.~~

7     ~~(g) If the total school district applications exceed the total funds~~  
8     ~~available pursuant to this section, the department shall prorate the~~  
9     ~~grants based upon the ratio of the total amount requested to the~~  
10    ~~total amount budgeted by the state for this purpose. Funding~~  
11    ~~priority shall be given to advanced placement examination fees if~~  
12    ~~there is insufficient funding allocated for the grant program in a~~  
13    ~~given fiscal year.~~

14    ~~(h) To facilitate program administration and school district~~  
15    ~~reimbursement, the department may enter into a contract with the~~  
16    ~~provider of advanced placement or International Baccalaureate~~  
17    ~~examinations. For purposes of the contract authorized pursuant to~~  
18    ~~this subdivision, the department is exempt from the requirements~~  
19    ~~of Part 2 (commencing with Section 10100) of Division 2 of the~~  
20    ~~Public Contract Code and from the requirements of Article 6~~  
21    ~~(commencing with Section 999) of Chapter 6 of Division 4 of the~~  
22    ~~Military and Veterans Code.~~

23    ~~(i) The department shall make every effort to obtain and allocate~~  
24    ~~federal funding for the purposes of this program prior to expending~~  
25    ~~any state funds. All state and federal funds obtained by the~~  
26    ~~department for the purposes of this program shall be expended for~~  
27    ~~these purposes only and are prohibited from being used to fund~~  
28    ~~any other program.~~

29    ~~(j) This section shall remain in effect only until January 1, 2013,~~  
30    ~~and as of that date is repealed, unless a later enacted statute, that~~  
31    ~~is enacted before January 1, 2013, deletes or extends that date.~~

32    SEC. 36. Section 52272 of the Education Code is repealed.

33    ~~52272. (a) The Education Technology Professional~~  
34    ~~Development Program is hereby established to provide teacher~~  
35    ~~training on the use of technology in the classroom. The professional~~  
36    ~~development training shall provide teachers with knowledge and~~  
37    ~~skills on how best to integrate the use of technology into the~~  
38    ~~classroom and curriculum.~~

39    ~~(b) The California State University shall administer the~~  
40    ~~professional development training component of the program and~~



1 shall collaborate with the California Technology Assistance Project,  
2 county offices of education, and other appropriate public and  
3 private organizations in developing and providing this training.

4 (e) The Secretary for Education, in collaboration with the  
5 Chancellor of the California State University, shall select a  
6 contractor to conduct an independent evaluation of the effectiveness  
7 of the Education Technology Professional Development Program.  
8 Upon completion, the report shall be submitted to the Governor  
9 and the Legislature by January 1, 2002.

10 (d) Funding for the purposes of this section is contingent on an  
11 appropriation made for those purposes in the annual Budget Act.

12 SEC. 37. Article 4.5 (commencing with Section 52378) of  
13 Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code  
14 is repealed.

15 SEC. 38. Article 7.5 (commencing with Section 52460) of  
16 Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code  
17 is repealed.

18 SEC. 39. Article 6 (commencing with Section 52890) of  
19 Chapter 12 of Part 28 of Division 4 of Title 2 of the Education  
20 Code is repealed.

21 SEC. 40. Chapter 12.5 (commencing with Section 52920) of  
22 Part 28 of Division 4 of Title 2 of the Education Code is repealed.

23 SEC. 41. Article 2 (commencing with Section 54020) of  
24 Chapter 1 of Part 29 of Division 4 of Title 2 of the Education Code  
25 is repealed.

26 SEC. 42. Article 5 (commencing with Section 54690) of  
27 Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code  
28 is repealed.

29 SEC. 43. Article 7.1 (commencing with Section 54740) of  
30 Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code  
31 is repealed.

32 SEC. 44. Chapter 6 (commencing with Section 58800) of Part  
33 31 of Division 4 of Title 2 of the Education Code is repealed.

34 SEC. 45. Article 3 (commencing with Section 60240) of  
35 Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code  
36 is repealed.

37 SEC. 46. Chapter 5 (commencing with Section 99200) of Part  
38 65 of Division 14 of Title 3 of the Education Code is repealed.

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