

ASSEMBLY BILL

No. 368

Introduced by Assembly Member Morrell

February 14, 2013

An act to amend Section 42238.5 of the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 368, as introduced, Morrell. Education finance: computation of average daily attendance.

Existing law requires the county superintendent of school to determine a revenue limit for each schools district in the county for each fiscal year that is based, in part, on the average daily attendance of the school district. Existing law requires, with certain exceptions, the average daily attendance to be computed based on the 2nd principal apportionment regular average daily attendance for either the current or prior fiscal year, whichever is greater.

This bill would make nonsubstantive changes to the provision relating to the computation of average daily attendance.

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

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

- 1 SECTION 1. Section 42238.5 of the Education Code is
- 2 amended to read:
- 3 42238.5. (a) For purposes of Section 42238, the fiscal year
- 4 average daily attendance shall be computed pursuant to paragraph
- 5 (1) or (2).

1 (1) The second principal apportionment regular average daily
 2 attendance for either the current or prior fiscal year, whichever is
 3 greater. However, prior fiscal year average daily attendance shall
 4 be adjusted for ~~any~~ a loss or gain of average daily attendance due
 5 to a reorganization or transfer of territory, or, commencing in the
 6 1993–94 fiscal year, ~~and each fiscal year thereafter~~, for any change
 7 in average daily attendance for pupils who are concurrently enrolled
 8 in adult programs and classes pursuant to Section 52616.17.

9 (2) ~~Any~~ A school district that elects to receive funding pursuant
 10 to Article 4 (commencing with Section 42280) shall compute its
 11 units of average daily attendance for purposes of Section 42238
 12 by subtracting the amount determined in subparagraph (B) from
 13 the amount determined in subparagraph (A).

14 (A) The units of average daily attendance computed pursuant
 15 to paragraph (1).

16 (B) The units of average daily attendance resulting from pupils
 17 attending schools funded pursuant to Article 4 (commencing with
 18 Section 42280).

19 (b) For purposes of this article, regular average daily attendance
 20 shall be the base revenue limit average daily attendance, excluding
 21 summer school average daily attendance.

22 (c) For purposes of this section, for the 1998–99 fiscal year
 23 only, the prior year average daily attendance shall be the 1997–98
 24 regular average daily attendance, excluding absences excused
 25 pursuant to subdivision (b) of Section 46010, as that subdivision
 26 read on July 1, 1996.

O