

AMENDED IN ASSEMBLY APRIL 7, 2015
AMENDED IN ASSEMBLY MARCH 25, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 575

Introduced by Assembly Members O'Donnell and Atkins

February 24, 2015

An act to amend Section 33050 of, to amend and repeal Section 44661.5 of, to amend, repeal, and add Sections 44660, 44661, 44662, and 44664 of, and to add Sections 35161.5, 44662.1, 44662.5, 44662.6, and 44662.7 to, *and to repeal and add Article 13 (commencing with Section 44670) of Chapter 3 of Part 25 of Division 3 of Title 2 of, the Education Code, and to amend, repeal, and add Section 17581.6 of the Government Code, relating to teachers.*

LEGISLATIVE COUNSEL'S DIGEST

AB 575, as amended, O'Donnell. Teachers: best practices teacher evaluation ~~system~~; *system: administrator evaluation.*

~~(1) Existing law authorizes the governing board of a school district or a county board of education, as specified, after a public hearing on the matter, to request the State Board of Education to waive all or part of any section of the Education Code or any regulation adopted by the state board that implements a provision of the Education Code that may be waived, except for specified provisions.~~

~~This bill would include additional specified provisions of the Education Code, relating to teacher evaluation, that may not be waived.~~

~~(2)~~

~~(1) Existing law states the intent of the Legislature that governing boards of school districts establish a uniform system of evaluation and~~

assessment of the performance of all certificated personnel within each school district of the state. Existing law requires the governing board of each school district to establish standards of expected pupil achievement at each grade level in each area of study and to evaluate and assess certificated employee performance on a continuing basis as it reasonably relates to the progress of pupils toward the established standards and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments, the instructional techniques and strategies used by the employee, the employee's adherence to curricular objectives, and the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

This bill would provide that the provisions described above would become inoperative on July 1, 2018. The bill would state findings and declarations of the Legislature regarding the nature of effective teachers and of the teaching profession. Commencing on July 1, 2018, the bill would require the governing board of each school district and the governing body of each charter school to adopt and implement a locally negotiated best practices teacher evaluation system, described as one in which each teacher is evaluated on a continuing basis on the degree to which he or she accomplishes specific objectives and multiple observations of instructional and other professional practices that are conducted by trained evaluators. The bill would authorize the ~~state board~~, *State Board of Education*, in consultation with the Superintendent of Public Instruction and appropriate education stakeholder groups, to adopt nonregulatory guidance to support the implementation of a best practices teacher evaluation system by school districts and charter schools, as specified. The bill would, on or before May 1, 2016, *or May 1 of the year that precedes the year in which an existing collective bargaining contract will expire, whichever is later*, require the governing board of each school district and the governing body of each charter school, at a regularly scheduled public hearing, to seek comment on the development and implementation of the best practices teacher evaluation system, and, on or before May 1 of each year ~~prior to~~ *before* local negotiations required by law, to seek comment on the best practices teacher evaluation system. The bill would require if, by mutual agreement between the school district or charter school and the collective bargaining unit, an intermediate mid-year agreement is reached regarding a best practices teacher evaluation system, the negotiation timeline to allow time for the governing board of the school district or

the governing body of the charter school to hold a public hearing to seek comment on the best practices teacher evaluation system. The bill also would require the governing board of each school district and the governing body of each charter school to disclose the provisions of the best practices teacher evaluation system at a regularly scheduled public hearing. The bill would also require the governing board of each school district and the governing body of each charter school to establish and define job responsibilities for certificated, noninstructional employees and evaluate and assess their performance in relation to those responsibilities. The bill would provide that these provisions do not apply to certificated personnel who are employed on an hourly basis in adult education classes. The bill would also provide that the provisions of the best practices teacher evaluation system do not supersede or invalidate a teacher evaluation system that is locally negotiated and that is in effect at the time the best practices teacher evaluation system becomes operative.

(3)

(2) Existing law requires that an evaluation and assessment of the performance of a certificated employee be made on a continuing basis, as provided, including at least every 5 years for personnel with permanent status who have been employed at least 10 years with the school district, are highly qualified, as specified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

This bill, commencing July 1, 2018, would require the evaluation and assessment of the above personnel at least every 3 years, except as locally negotiated and provided in the best practices teacher evaluation system. The bill would also require charter schools to comply with these provisions.

(3) *Existing law authorizes a school district to evaluate a principal annually for the principal's first and 2nd year of employment as a new principal and authorizes additional evaluations, as specified.*

This bill would repeal those provisions and would instead require the governing board of each school district to establish a system of evaluation for school administrators to guide their growth and performance with the purpose of supporting them as instructional leaders in order to raise pupil achievement. The bill would require the evaluation system to include certain attributes, including, but not limited to, promoting the success of all pupils, advocating and supporting a safe, nurturing school culture that sustains a quality instructional

program conducive to pupil learning and staff professional growth, and ensuring the management, organization, and operation of a safe and successful learning environment as evidenced by the establishment of effective practices for personnel and resource management, campus safety, and school climate. The bill would require the governing board of a school district to identify who will conduct the evaluation of each school administrator. By imposing additional duties on school district officials, the bill would impose a state-mandated local program.

(4) Existing law authorizes the governing board of a school district or a county board of education, as specified, after a public hearing on the matter, to request the state board to waive all or part of any section of the Education Code or any regulation adopted by the state board that implements a provision of the Education Code that may be waived, except for specified provisions.

This bill would add the above-mentioned provisions relating to teacher and administrator evaluation to the list of provisions that may not be waived.

(5) This bill also would state the intent of the Legislature to provide adequate resources to train evaluators, continue robust beginning teacher induction programs, and support struggling educators.

~~(4)~~

(6) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including a school district and a community college district, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law requires certain funds appropriated in the annual Budget Act for reimbursement of the cost of a new program or increased level of service of an existing program mandated by statute or executive order to be available as a block grant to school districts, county offices of education, and charter schools to support specified state-mandated local programs and permits those entities to elect to receive that block grant funding in lieu of claiming mandated costs pursuant to the state claims process.

This bill would, as of July 1, 2018, add the best practices teacher evaluation system to the state-mandated local programs supported by the block grant funding.

~~(5)~~

(7) This bill would update cross-references and would make other nonsubstantive changes.

~~(6)~~

(8) By requiring school districts and charter schools to perform additional duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 33050 of the Education Code, as amended
2 by Section 80 of Chapter 755 of the Statutes of 2014, is amended
3 to read:

4 33050. (a) The governing board of a school district or a county
5 board of education, on a districtwide or countywide basis or on
6 behalf of one or more of its schools or programs, after a public
7 hearing on the matter, may request the state board to waive all or
8 part of any section of this code or any regulation adopted by the
9 state board that implements a provision of this code that may be
10 waived, except:

11 (1) Article 1 (commencing with Section 15700) and Article 2
12 (commencing with Section 15780) of Chapter 4 of Part 10 of
13 Division 1 of Title 1.

14 (2) Chapter 6 (commencing with Section 16000) of Part 10 of
15 Division 1 of Title 1.

16 (3) Chapter 12 (commencing with Section 17000), Chapter 12.5
17 (commencing with Section 17070.10), and Chapter 14
18 (commencing with Section 17085) of Part 10 of Division 1 of Title
19 1.

20 (4) Part 13 (commencing with Section 22000), Part 13.5
21 (commencing with Section 25900), and Part 14 (commencing with
22 Section 26000) of Division 1 of Title 1.

23 (5) Section 35735.1.

24 (6) Paragraph (8) of subdivision (a) of Section 37220.

25 (7) The following provisions of Part 10.5 (commencing with
26 Section 17210) of Division 1 of Title 1:

- 1 (A) Chapter 1 (commencing with Section 17210).
2 (B) Article 1 (commencing with Section 17251) to Article 6
3 (commencing with Section 17365), inclusive, of Chapter 3.
4 (C) Sections 17416 to 17429, inclusive; Sections 17459 and
5 17462; subdivision (a) of Section 17464; and Sections 17582 to
6 17591, inclusive.
7 (8) The following provisions of Part 24 (commencing with
8 Section 41000) of Division 3.
9 (A) Sections 41000 to 41360, inclusive.
10 (B) Sections 41420 to 41423, inclusive.
11 (C) Sections 41600 to 41863, inclusive.
12 (D) Sections 41930 to 42850, inclusive.
13 (9) Sections 44504 and 44505.
14 (10) Article 11 (commencing with Section 44660) of Chapter
15 3 of Part 25 of Division 3.
16 *(11) Article 13 (commencing with Section 44670) of Chapter 3*
17 *of Part 25 of Division 3.*
18 ~~(11)~~
19 (12) Article 3 (commencing with Section 44930) of Chapter 4
20 of Part 25 of Division 3 and regulations in Title 5 of the California
21 Code of Regulations adopted pursuant to Article 3 (commencing
22 with Section 44930) of Chapter 4 of Part 25 of Division 3.
23 ~~(12)~~
24 (13) Part 26 (commencing with Section 46000) of Division 4.
25 ~~(13)~~
26 (14) Chapter 6 (commencing with Section 48900) and Chapter
27 6.5 (commencing with Section 49060) of Part 27 of Division 4.
28 ~~(14)~~
29 (15) Section 51513.
30 ~~(15)~~
31 (16) Section 52163.
32 ~~(16)~~
33 (17) The identification and assessment criteria relating to any
34 categorical aid program, including Sections 52164.1 and 52164.6.
35 ~~(17)~~
36 (18) Sections 52165, 52166, and 52178.
37 ~~(18)~~
38 (19) Article 3 (commencing with Section 52850) of Chapter 12
39 of Part 28 of Division 4.
40 ~~(19)~~

(20) Section 56364.1, except that this restriction shall not prohibit the state board from approving any waiver of Section 56364.2, relating to full inclusion.

~~(20)~~

(21) Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4, relating to the California Assessment of Student Performance and Progress (CAASPP), and any other provisions of Chapter 5 (commencing with Section 60600) of Part 33 of Division 4 that establish requirements for the CAASPP.

(b) Any waiver of provisions related to the programs identified in Section 52851 shall be granted only pursuant to Article 3 (commencing with Section 52850) of Chapter 12 of Part 28 of Division 4.

(c) The waiver of an advisory committee required by law shall be granted only pursuant to Article 4 (commencing with Section 52870) of Chapter 12 of Part 28 of Division 4.

(d) A request for a waiver submitted by the governing board of a school district or a county board of education pursuant to subdivision (a) shall include a written statement as to both of the following:

(1) Whether the exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, participated in the development of the waiver.

(2) The exclusive representative's position regarding the waiver.

(e) A request for a waiver submitted pursuant to subdivision (a) relating to a regional occupational center or program established pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of Division 4, which is operated by a joint powers entity established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, shall be submitted as a joint waiver request for each participating school district and shall meet both of the following conditions:

(1) Each joint waiver request shall comply with all of the requirements of this article.

(2) The submission of a joint waiver request shall be approved by a unanimous vote of the governing board of the joint powers agency.

SEC. 2. Section 35161.5 is added to the Education Code, to read:

1 35161.5. (a) *The governing board of each school district shall*
2 *establish standards of expected pupil achievement at each grade*
3 *level that it serves in each area of study.*

4 (b) *This section shall become operative on July 1, 2018.*

5 ~~SEC. 2.~~

6 SEC. 3. Section 44660 of the Education Code is amended to
7 read:

8 44660. (a) It is the intent of the Legislature that governing
9 boards establish a uniform system of evaluation and assessment
10 of the performance of all certificated personnel within each school
11 district of the state, including schools conducted or maintained by
12 county superintendents of education. The system shall involve the
13 development and adoption by each school district of objective
14 evaluation and assessment guidelines that may, at the discretion
15 of the governing board of the school district, be uniform throughout
16 the school district or, for compelling reasons, be individually
17 developed for territories or schools within the school district,
18 provided that all certificated personnel of the school district shall
19 be subject to a system of evaluation and assessment adopted
20 pursuant to this article.

21 (b) This article does not apply to certificated personnel who are
22 employed on an hourly basis in adult education classes.

23 (c) This section shall become inoperative on July 1, 2018, and,
24 as of January 1, 2019, is repealed, unless a later enacted statute,
25 that becomes operative on or before January 1, 2019, deletes or
26 extends the dates on which it becomes inoperative and is repealed.

27 ~~SEC. 3.~~

28 SEC. 4. Section 44660 is added to the Education Code, to read:

29 44660. (a) The Legislature finds and declares all of the
30 following:

31 (1) Teaching is a professional endeavor, in which effective
32 practice is driven by an understanding of knowledge in the field
33 and a commitment to all pupils and their families.

34 (2) Excellent teaching requires knowledge, skills, artistry,
35 passion, and commitment.

36 (3) Effective teachers integrate ethical concern for children and
37 society, extensive subject matter competence, thoughtfully selected
38 pedagogical practices, and a depth of knowledge about their pupils,
39 including knowledge of child and adolescent development and

1 learning, an understanding of their individual strengths, interests,
2 and needs, and knowledge about their families and communities.

3 (4) Effective teachers share a common set of professional and
4 ethical obligations that includes a profound and fundamental
5 commitment to the growth and success of the individual pupils in
6 their care as well as to the strengthening and continual revitalization
7 of our democratic society.

8 (5) Certificated, noninstructional employees share the same
9 deep commitment to children, families, and communities, and they
10 provide essential support and administrative services to pupils and
11 teachers that enable pupils to succeed.

12 (b) The Legislature further finds and declares that because
13 teachers are the most important school-related factor for influencing
14 pupil academic success the primary purpose of an evaluation
15 system is to ensure that teachers meet the highest professional
16 standards of effective teaching, thereby resulting in high levels of
17 pupil learning.

18 (c) *The Legislature further finds and declares that the attributes*
19 *of the best practices teacher evaluation system established pursuant*
20 *to this article are based on the California Standards for the*
21 *Teaching Profession adopted by the Commission on Teacher*
22 *Credentialing in October of 2009, and the system of evaluation*
23 *for school administrators established pursuant to Article 13*
24 *(commencing with Section 44670) is based on the California*
25 *Professional Standards for Educational Leaders adopted by the*
26 *Commission on Teacher Credentialing in February of 2014.*

27 (e)

28 (d) This article does not apply to certificated personnel who are
29 employed on an hourly basis in adult education classes.

30 (d)

31 (e) This section shall become operative on July 1, 2018.

32 ~~SEC. 4.~~

33 *SEC. 5.* Section 44661 of the Education Code is amended to
34 read:

35 44661. (a) In the development and adoption of guidelines and
36 procedures pursuant to this article, the governing board of a school
37 district shall avail itself of the advice of the certificated
38 instructional personnel in the school district's organization of
39 certificated personnel.

(b) This section shall become inoperative on July 1, 2018, and, as of January 1, 2019, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2019, deletes or extends the dates on which it becomes inoperative and is repealed.

~~SEC. 5.~~

SEC. 6. Section 44661 is added to the Education Code, to read:

44661. (a) The governing board of each school district and the governing body of each charter school shall adopt and implement a best practices teacher evaluation system as set forth in this article.

(b) The best practices teacher evaluation system required to be adopted pursuant to this article shall be locally negotiated pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code. If the certificated employees of a school district or charter school do not have an exclusive bargaining representative, the governing board of the school district or the governing body of the charter school, as applicable, shall adopt objective evaluation and support components, as applicable, that are consistent with this article.

(c) This section shall become operative on July 1, 2018.

~~SEC. 6.~~

SEC. 7. Section 44661.5 of the Education Code is amended to read:

44661.5. (a) When developing and adopting objective evaluation and assessment guidelines pursuant to Section 44660, a school district may, by mutual agreement between the exclusive representative of the certificated employees of the school district and the governing board of the school district, include any objective standards from the National Board for Professional Teaching Standards or any objective standards from the California Standards for the Teaching Profession if the standards to be included are consistent with this article. If the certificated employees of the school district do not have an exclusive representative, the school district may adopt objective evaluation and assessment guidelines consistent with this section.

(b) This section shall become inoperative on July 1, 2018, and, as of January 1, 2019, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2019, deletes or extends the dates on which it becomes inoperative and is repealed.

~~SEC. 7.~~

SEC. 8. Section 44662 of the Education Code is amended to read:

44662. (a) The governing board of each school district shall establish standards of expected pupil achievement at each grade level in each area of study.

(b) The governing board of each school district shall evaluate and assess certificated employee performance as it reasonably relates to:

(1) The progress of pupils toward the standards established pursuant to subdivision (a) and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments.

(2) The instructional techniques and strategies used by the employee.

(3) The employee's adherence to curricular objectives.

(4) The establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

(c) The governing board of each school district shall establish and define job responsibilities for certificated noninstructional personnel, including, but not limited to, supervisory and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (b) and shall evaluate and assess the performance of those noninstructional certificated employees as it reasonably relates to the fulfillment of those responsibilities.

(d) Results of an employee's participation in the California Peer Assistance and Review Program for Teachers established by Article 4.5 (commencing with Section 44500) shall be made available as part of the evaluation conducted pursuant to this section.

(e) The evaluation and assessment of certificated employee performance pursuant to this section shall not include the use of publishers' norms established by standardized tests.

(f) Nothing in this section shall be construed as in any way limiting the authority of school district governing boards to develop and adopt additional evaluation and assessment guidelines or criteria.

(g) This section shall become inoperative on July 1, 2018, and, as of January 1, 2019, is repealed, unless a later enacted statute,

1 that becomes operative on or before January 1, 2019, deletes or
2 extends the dates on which it becomes inoperative and is repealed.

3 ~~SEC. 8.~~

4 *SEC. 9.* Section 44662 is added to the Education Code, to read:
5 44662. (a) A best practices teacher evaluation system shall
6 include, but not be limited to, the following attributes:

7 (1) An evaluation of each teacher based on the degree to which
8 he or she accomplishes the following objectives:

9 (A) Engages and supports all pupils in learning, evidence of
10 which may include, but is not limited to, evidence of high
11 expectations and active pupil engagement for each pupil.

12 (B) Creates and maintains effective environments for pupil
13 learning, to the extent that those environments are within the
14 teacher's control.

15 (C) Understands and organizes subject matter for pupil learning,
16 evidence of which may include, but is not limited to, extensive
17 subject matter, content standards, and curriculum competence.

18 (D) Plans instruction and designs learning experiences for all
19 pupils, evidence of which may include, but is not limited to, use
20 of differentiated instruction and practices based upon pupil progress
21 and use of culturally responsive instruction, including, but not
22 limited to, incorporation of multicultural information and content
23 into the delivery of curriculum, to eliminate the achievement gap.

24 (E) Uses pupil assessment information to inform instruction
25 and to improve learning, evidence of which shall include, but is
26 not limited to, use of formative and summative assessments to
27 adjust instructional practices to meet the needs of individual pupils.
28 For ~~certified~~ *certificated* employees who directly instruct English
29 learner pupils in acquiring English language fluency, the
30 assessment information shall include the results of assessments
31 adopted pursuant to Chapter 7 (commencing with Section 60810)
32 of Part 33 of Division 4.

33 (F) Develops, as a professional educator, evidence of which
34 may include, but is not limited to, consistent and positive
35 relationships with pupils, parents, staff, and administrators, use of
36 collaborative professional practices for improving instructional
37 strategies, participation in identified professional growth
38 opportunities, and use of meaningful self-assessment to improve
39 as a professional educator.

1 (G) Contributes to pupil academic growth based on multiple
2 measures, as follows:

3 (i) Multiple measures shall include state and local formative
4 and summative assessments in the grade levels and subjects that
5 these assessments are administered.

6 (ii) Multiple measures may include, but are not limited to,
7 classroom work, local and state academic assessments, and pupil
8 grades, classroom participation, presentations and performances,
9 and projects and portfolios.

10 (iii) For certificated employees who directly instruct English
11 learner pupils in acquiring English, measures shall include the
12 degree to which pupils acquire the English language development
13 standards adopted pursuant to former Section 60811.3, as that
14 section read on June 30, 2013, or Section 60811.4, for the purpose
15 of improving a pupil's English proficiency. Pupil data used for
16 purposes of teacher evaluation shall be confidential in the same
17 manner as all other elements of a teacher's personnel file.

18 (2) Multiple observations of instructional and other professional
19 practices that are conducted by evaluators who have been
20 appropriately trained and calibrated to ensure consistency and who
21 have demonstrated competence in teacher evaluation, as determined
22 by the school district.

23 (A) Multiple observations may include, but are not limited to,
24 classroom observations, one-on-one discussions, and review of
25 classroom materials and course of study.

26 (B) Observations shall be conducted using a uniform evaluation
27 tool that is appropriate to the teacher's assignment.

28 (C) Before each formal observation, the observer shall meet
29 with the teacher to discuss the purpose of the observation.

30 (D) After each formal observation, the observer shall meet with
31 the teacher to discuss recommendations, as necessary, with regard
32 to areas of improvement in the performance of the teacher.

33 (E) *Nothing in this subdivision shall prohibit evaluators from*
34 *conducting unscheduled classroom visits.*

35 (3) A minimum of three performance levels for the evaluation
36 of teacher performance for purposes of Section 44664.

37 (4) Each of the attributes set forth in paragraph (1) shall account
38 for not less than 10 percent of the overall evaluation for each
39 teacher.

(b) This section shall not be interpreted to prohibit a locally negotiated evaluation process from designating certificated employees to conduct, or participate in, evaluations of other certificated employees for purposes of determining needs for professional development or providing corrective advice for the certificated employee being evaluated. A nonsupervisory certificated employee who conducts, or participates in, an evaluation pursuant to this article shall not be deemed to be exercising a management or supervisory function as defined by subdivision (g) or (m) of Section 3540.1 of the Government Code.

(c) *This section shall not apply to certificated employees who hold an administrative services credential, as defined in Section 44270.*

(d) *Notwithstanding any other law, a best practices teacher evaluation system adopted pursuant to this article shall not omit any of the attributes specified in this section.*

(e)

(e) This section shall become operative on July 1, 2018.

~~SEC. 9.~~

SEC. 10. Section 44662.1 is added to the Education Code, to read:

44662.1. The state board, in consultation with the Superintendent and appropriate education stakeholder groups, may adopt nonregulatory guidance to support the implementation of a best practices teacher evaluation system by school districts and charter schools that may include all of the following:

(a) Model evaluation systems that may be used by school districts and charter schools to implement the best practices teacher evaluation system pursuant to Sections 44661 and 44662, as added by Sections 5 6 and 8 9 of Assembly Bill 575 of the 2015–16 Regular Session.

(b) Model processes for implementing observations of instructional and other professional practices pursuant to paragraph (2) of subdivision (a) of Section 44662, as added by Section 8 9 of Assembly Bill 575 of the 2015–16 Regular Session.

(c) Model processes for defining calibration for purposes of training evaluators pursuant to paragraph (2) of subdivision (a) of Section 44662, as added by Section 8 9 of Assembly Bill 575 of the 2015–16 Regular Session.

(d) Model processes for developing the observation tool that may be used for observations of instructional and other professional practices pursuant to paragraph (2) of subdivision (a) of Section 44662, as added by Section 8 9 of Assembly Bill 575 of the 2015–16 Regular Session.

(e) Model processes for determining and defining the performance levels for the evaluation of teacher performance pursuant to paragraph (3) of subdivision (a) of Section 44662, as added by Section 8 9 of Assembly Bill 575 of the 2015–16 Regular Session.

~~SEC. 10:~~

SEC. 11. Section 44662.5 is added to the Education Code, to read:

44662.5. (a) The governing board of each school district and the governing body of each charter school shall establish and define job responsibilities for certificated, noninstructional employees, including, but not limited to, supervisory and administrative personnel, whose responsibilities cannot be evaluated appropriately under the provisions of subdivision (a) of Section 44662. The governing board of each school district and the governing body of each charter school shall ~~evaluate and assess~~ *provide for the evaluation and assessment of* the performance of certificated, noninstructional employees as it reasonably relates to the fulfillment of those responsibilities.

(b) This section shall become operative on July 1, 2018.

~~SEC. 11:~~

SEC. 12. Section 44662.6 is added to the Education Code, to read:

44662.6. (a) (1) On or before May 1, 2016, *or May 1 of the year that precedes the year in which an existing collective bargaining contract will expire, whichever is later*, the governing board of each school district and the governing body of each charter school, at a regularly scheduled public hearing, shall seek comment on the development and implementation of the best practices teacher evaluation system. The governing board of each school district and the governing body of each charter school shall use the comments received at the hearing to guide the development and implementation of the best practices teacher evaluation system.

(2) On or before May 1 of each year ~~prior to~~ *before* local negotiations required pursuant to Chapter 10.7 (commencing with

1 Section 3540) of Division 4 of Title 1 of the Government Code,
2 the governing board of each school district and the governing body
3 of each charter school shall seek comment on the best practices
4 teacher evaluation system. *The governing board of each school*
5 *district and the governing body of each charter school shall also*
6 *seek public comment on the best practices teacher evaluation*
7 *system both during local negotiations and before the final*
8 *agreement of local negotiations.*

9 (3) If, by mutual agreement between a school district or charter
10 school and the collective bargaining unit, an intermediate mid-year
11 agreement is reached regarding a best practices teacher evaluation
12 system, the negotiation timeline shall allow time for the governing
13 board of the school district or the governing body of the charter
14 school to hold a public hearing to seek comment on the best
15 practices teacher evaluation system.

16 (b) Consistent with Section 3547 of the Government Code and
17 no more than 30 days after the local negotiations required pursuant
18 to Chapter 10.7 (commencing with Section 3540) of Division 4 of
19 Title 1 of the Government Code, the governing board of each
20 school district and the governing body of each charter school shall
21 disclose the provisions of the best practices teacher evaluation
22 system at a regularly scheduled public hearing.

23 ~~SEC. 12.~~

24 *SEC. 13.* Section 44662.7 is added to the Education Code, to
25 read:

26 44662.7. (a) This article does not supersede or invalidate a
27 teacher evaluation system that is locally negotiated pursuant to
28 Chapter 10.7 (commencing with Section 3540) of Division 4 of
29 Title 1 of the Government Code and that is in effect at the time
30 this section becomes operative. If a locally negotiated teacher
31 evaluation system is in effect at the time this section becomes
32 operative, the teacher evaluation system shall remain in effect until
33 the parties to the agreement negotiate a successor agreement. *A*
34 *memorandum of understanding shall not extend the adoption of a*
35 *locally negotiated teacher evaluation system that is in effect at the*
36 *time this section becomes operative.*

37 (b) This section shall become operative on July 1, 2018.

38 ~~SEC. 13.~~

39 *SEC. 14.* Section 44664 of the Education Code is amended to
40 read:

1 44664. (a) Evaluation and assessment of the performance of
2 each certificated employee shall be made on a continuing basis as
3 follows:

4 (1) At least once each school year for probationary personnel.

5 (2) At least every other year for personnel with permanent status.

6 (3) At least every five years for personnel with permanent status
7 who have been employed at least 10 years with the school district,
8 are highly qualified, if those personnel occupy positions that are
9 required to be filled by a highly qualified professional by the
10 federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301
11 et seq.), as defined in Section 7801 of Title 20 of the United States
12 Code, and whose previous evaluation rated the employee as
13 meeting or exceeding standards, if the evaluator and certificated
14 employee being evaluated agree. The certificated employee or the
15 evaluator may withdraw consent at any time.

16 (b) The evaluation shall include recommendations, if necessary,
17 as to areas of improvement in the performance of the employee.

18 (1) If an employee is not performing his or her duties in a
19 satisfactory manner according to the standards prescribed by the
20 governing board of the school district, the employing authority
21 shall notify the employee in writing of that fact and describe the
22 unsatisfactory performance.

23 (2) The employing authority shall thereafter confer with the
24 employee making specific recommendations as to areas of
25 improvement in the employee's performance and endeavor to assist
26 the employee in his or her performance.

27 (3) If a permanent certificated employee has received an
28 unsatisfactory evaluation, the employing authority shall annually
29 evaluate the employee until the employee achieves a positive
30 evaluation or is separated from the school district.

31 (c) (1) An evaluation performed pursuant to this article that
32 contains an unsatisfactory rating of an employee's performance
33 in the area of teaching methods or instruction may include the
34 requirement that the certificated employee shall, as determined
35 necessary by the employing authority, participate in a program
36 designed to improve appropriate areas of the employee's
37 performance and to further pupil achievement and the instructional
38 objectives of the employing authority.

39 (2) If a school district participates in the California Peer
40 Assistance and Review Program for Teachers established pursuant

1 to Article 4.5 (commencing with Section 44500), a certificated
2 employee who receives an unsatisfactory rating on an evaluation
3 performed pursuant to this section shall participate in the California
4 Peer Assistance and Review Program for Teachers.

5 (d) Hourly and temporary hourly certificated employees, other
6 than those employed in adult education classes who are excluded
7 by the provisions of Section 44660, and substitute teachers may
8 be excluded from the provisions of this section at the discretion
9 of the governing board of the school district.

10 (e) This section shall become inoperative on July 1, 2018, and,
11 as of January 1, 2019, is repealed, unless a later enacted statute,
12 that becomes operative on or before January 1, 2019, deletes or
13 extends the dates on which it becomes inoperative and is repealed.

14 ~~SEC. 14.~~

15 *SEC. 15.* Section 44664 is added to the Education Code, to
16 read:

17 44664. (a) Evaluation and assessment of the performance of
18 each certificated employee shall be made on a continuing basis as
19 follows:

20 (1) At least once each school year for probationary personnel.

21 (2) At least every other year for personnel with permanent status.

22 (3) (A) Except as may be provided in the best practices teacher
23 evaluation system locally negotiated pursuant to subdivision (b)
24 of Section 44661, at least every three years for personnel with
25 permanent status who have been employed at least 10 years with
26 the school district or charter school, are highly qualified, if those
27 personnel occupy positions that are required to be filled by a highly
28 qualified professional by the federal No Child Left Behind Act of
29 2001 (20 U.S.C. Sec. 6301 et seq.), as defined in Section 7801 of
30 Title 20 of the United States Code, and whose previous evaluation
31 rated the employee as meeting or exceeding standards, if the
32 evaluator and certificated employee being evaluated agree. The
33 certificated employee or the evaluator may withdraw consent at
34 any time.

35 (B) The evaluator shall conduct at least one informal observation
36 per year during a year when the certificated employee does not
37 receive a formal performance evaluation and assessment.

38 (b) The evaluation shall include recommendations, if necessary,
39 as to areas of improvement in the performance of the employee.

1 (1) If an employee is not performing his or her duties in a
2 satisfactory manner according to the standards prescribed by the
3 governing board of the school district or the governing body of
4 the charter school, the employing authority shall notify the
5 employee in writing of that fact and describe the unsatisfactory
6 performance.

7 (2) The employing authority shall thereafter confer with the
8 employee making specific recommendations as to areas of
9 improvement in the employee's performance and endeavor to assist
10 the employee in his or her performance.

11 (3) If a permanent certificated employee has received an
12 unsatisfactory evaluation, the employing authority shall annually
13 evaluate the employee until the employee achieves a positive
14 evaluation or is separated from the school district or charter school.

15 (c) (1) An evaluation performed pursuant to this article that
16 contains an unsatisfactory rating of an employee's performance
17 in the area of teaching methods or instruction may include the
18 requirement that the certificated employee shall, as determined
19 necessary by the employing authority, participate in a program
20 designed to improve appropriate areas of the employee's
21 performance and to further pupil achievement and the instructional
22 objectives of the employing authority.

23 (2) If a school district or charter school participates in the
24 California Peer Assistance and Review Program for Teachers
25 established pursuant to Article 4.5 (commencing with Section
26 44500), a certificated employee of that school district or charter
27 school who receives an unsatisfactory rating on an evaluation
28 performed pursuant to this section shall participate in the California
29 Peer Assistance and Review Program for Teachers.

30 (d) Hourly and temporary hourly certificated employees, other
31 than those employed in adult education classes who are excluded
32 by the provisions of Section 44660, and substitute teachers may
33 be excluded from the provisions of this section at the discretion
34 of the governing board of the school district or the governing body
35 of the charter school.

36 (e) This section shall become operative on July 1, 2018.

37 *SEC. 16. Article 13 (commencing with Section 44670) of*
38 *Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code*
39 *is repealed.*

1 *SEC. 17. Article 13 (commencing with Section 44670) is added*
2 *to Chapter 3 of Part 25 of Division 3 of Title 2 of the Education*
3 *Code, to read:*

4
5 *Article 13. Administrator Evaluations*
6

7 44670. (a) *The governing board of each school district shall*
8 *establish a system of evaluation for school administrators to guide*
9 *their growth and performance with the purpose of supporting them*
10 *as instructional leaders in order to raise pupil achievement. The*
11 *evaluation system shall include, but not be limited to, all of the*
12 *following attributes:*

13 (1) *Promoting the success of all pupil by facilitating the*
14 *development and implementation of a vision of pupil learning,*
15 *including, but not limited to, communicating with parents, pupils,*
16 *and the community regarding the importance of a standards-based*
17 *education and high expectations for all pupils.*

18 (2) *Advocating and supporting a safe, nurturing school culture*
19 *that sustains a quality instructional program conducive to pupil*
20 *learning and staff professional growth, including, but not limited*
21 *to, all of the following:*

22 (A) *Promoting equity, fairness, and respect among staff, pupils,*
23 *and members of the school community with acknowledgment of*
24 *the role cultural attributes have in pupil learning.*

25 (B) *Supporting professional development opportunities for staff*
26 *that encourage collaboration and effective instructional practice*
27 *with the goal of improving outcomes for all pupils.*

28 (3) *Ensuring the management, organization, and operation of*
29 *a safe and successful learning environment, as evidenced by the*
30 *establishment of effective practices for personnel and resource*
31 *management, campus safety, and school climate, including, but*
32 *not limited to, supporting curricular and management leadership*
33 *in all of these areas and successfully implementing a best practices*
34 *teacher evaluation system established pursuant to Sections 44661*
35 *and 44662, added by Sections 6 and 9 of the act adding this section.*

36 (4) *Collaborating with parents and the community to establish*
37 *an inclusive school environment, including, but not limited to,*
38 *embracing and recognizing that diversity strengthens a learning*
39 *environment and promotes meaningful parent and community*
40 *engagement, as required by Section 52062 for the development of*

1 *the local control and accountability plan established pursuant to*
2 *Section 52060.*

3 *(5) (A) Providing ethical and professional leadership that*
4 *fosters effective instructional practice as evidenced by promoting*
5 *quality teaching and instructional strategies and provides relevant,*
6 *effective feedback that leads to pupil learning. School*
7 *administrators shall be held accountable for the academic growth*
8 *of pupils over time and academic growth shall be based on multiple*
9 *measures that may include pupil work as well as pupil and school*
10 *longitudinal data.*

11 *(B) Multiple measures shall include state and local formative*
12 *and summative assessments. For school administrators who*
13 *supervise certificated staff that directly instruct English learner*
14 *pupils acquiring English, assessment information shall include*
15 *the results of assessments adopted pursuant to Chapter 7*
16 *(commencing with Section 60810) of Part 33 of Division 4.*

17 *(C) Multiple measures may include, but are not limited to,*
18 *benchmark, end-of-chapter, end-of-course, advanced placement,*
19 *international baccalaureate, college entrance, or performance*
20 *assessments.*

21 *(D) Pupil data used for purposes of an administrator evaluation*
22 *shall be confidential in the same manner as all other elements of*
23 *an administrator's personnel file.*

24 *(6) Providing professional leadership by understanding,*
25 *responding, and influencing the larger social, political, cultural*
26 *and legal context with the goal of ensuring pupil success, as*
27 *evidenced by working in collaboration with the governing board*
28 *of the school district, bargaining units, and local school, school*
29 *district, and community leaders.*

30 *(b) The governing board of a school district shall identify who*
31 *will conduct the evaluation of each school administrator.*

32 *(1) A school administrator shall be evaluated annually for the*
33 *first and second year of employment as a new administrator in a*
34 *school district. The governing board of the school district may*
35 *determine the frequency at regular intervals of evaluations after*
36 *this period.*

37 *(2) Additional evaluations that occur outside of the regular*
38 *intervals determined by the governing board of the school district*
39 *shall be agreed upon between the evaluator and the administrator.*

1 (3) *Evaluators and administrators shall review school success*
2 *and progress throughout the year. This review should include*
3 *goals that are defined by the school district, including, but not*
4 *limited to, the goals specified in the local control and*
5 *accountability plan approved by the governing board of the school*
6 *district pursuant to Section 52060.*

7 ~~SEC. 15.~~

8 SEC. 18. Section 17581.6 of the Government Code is amended
9 to read:

10 17581.6. (a) Funding apportioned pursuant to this section shall
11 constitute reimbursement pursuant to Section 6 of Article XIII B
12 of the California Constitution for the performance of any state
13 mandates included in the statutes and executive orders identified
14 in subdivision (e).

15 (b) Any school district, county office of education, or charter
16 school may elect to receive block grant funding pursuant to this
17 section.

18 (c) (1) A school district, county office of education, or charter
19 school that elects to receive block grant funding pursuant to this
20 section in a given fiscal year shall submit a letter requesting
21 funding to the Superintendent of Public Instruction on or before
22 August 30 of that fiscal year.

23 (2) The Superintendent of Public Instruction shall, in the month
24 of November of each year, apportion block grant funding
25 appropriated pursuant to Item 6110-296-0001 of Section 2.00 of
26 the annual Budget Act to all school districts, county offices of
27 education, and charter schools that submitted letters requesting
28 funding in that fiscal year according to the provisions of that item.

29 (3) A school district or county office of education that receives
30 block grant funding pursuant to this section shall not be eligible
31 to submit claims to the Controller for reimbursement pursuant to
32 Section 17560 for any costs of any state mandates included in the
33 statutes and executive orders identified in subdivision (e) incurred
34 in the same fiscal year during which the school district or county
35 office of education received funding pursuant to this section.

36 (d) Block grant funding apportioned pursuant to this section is
37 subject to annual financial and compliance audits required by
38 Section 41020 of the Education Code.

1 (e) Block grant funding apportioned pursuant to this section is
2 specifically intended to fund the costs of the following programs
3 and activities:

4 (1) Academic Performance Index (01-TC-22; Chapter 3 of the
5 Statutes of 1999, First Extraordinary Session; and Chapter 695 of
6 the Statutes of 2000).

7 (2) Agency Fee Arrangements (00-TC-17 and 01-TC-14;
8 Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes
9 of 2001).

10 (3) AIDS Instruction and AIDS Prevention Instruction (CSM
11 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of
12 1991; and Chapter 403 of the Statutes of 1998).

13 (4) California State Teachers' Retirement System (CalSTRS)
14 Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994;
15 Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838
16 of the Statutes of 1997; Chapter 965 of the Statutes of 1998;
17 Chapter 939 of the Statutes of 1999; and Chapter 1021 of the
18 Statutes of 2000).

19 (5) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes
20 of 1994).

21 (6) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and
22 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and
23 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998;
24 and Chapter 78 of the Statutes of 1999).

25 (7) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes
26 of 2002).

27 (8) Child Abuse and Neglect Reporting (01-TC-21; Chapters
28 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes
29 of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the
30 Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters
31 133 and 754 of the Statutes of 2001).

32 (9) Collective Bargaining (CSM 4425; Chapter 961 of the
33 Statutes of 1975).

34 (10) Comprehensive School Safety Plans (98-TC-01 and
35 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of
36 the Statutes of 1999; and Chapter 828 of the Statutes of 2003).

37 (11) Consolidation of Annual Parent Notification/Schoolsite
38 Discipline Rules/Alternative Schools (CSM 4488, CSM 4461,
39 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM
40 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the

1 Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469
2 of the Statutes of 1981; Chapter 459 of the Statutes of 1985;
3 Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the
4 Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988;
5 Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the
6 Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter
7 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997;
8 Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the
9 Statutes of 1999, First Extraordinary Session; Chapter 73 of the
10 Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895
11 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

12 (12) Consolidation of Law Enforcement Agency Notification
13 and Missing Children Reports (CSM 4505; Chapter 1117 of the
14 Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of
15 1986; and Chapter 832 of the Statutes of 1999).

16 (13) Consolidation of Notification to Teachers: Pupils Subject
17 to Suspension or Expulsion I and II, and Pupil Discipline Records
18 (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

19 (14) County Office of Education Fiscal Accountability Reporting
20 (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987;
21 Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of
22 the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter
23 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes
24 of 1993; Chapters 650 and 1002 of the Statutes of 1994; and
25 Chapter 525 of the Statutes of 1995).

26 (15) Criminal Background Checks (97-TC-16; Chapters 588
27 and 589 of the Statutes of 1997).

28 (16) Criminal Background Checks II (00-TC-05; Chapters 594
29 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of
30 1999).

31 (17) Developer Fees (02-TC-42; Chapter 955 of the Statutes of
32 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the
33 Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923
34 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983;
35 Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes
36 of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter
37 1228 of the Statutes of 1994).

38 (18) Differential Pay and Reemployment (99-TC-02; Chapter
39 30 of the Statutes of 1998).

1 (19) Expulsion of Pupil: Transcript Cost for Appeals (SMAS;
2 Chapter 1253 of the Statutes of 1975).

3 (20) Financial and Compliance Audits (CSM 4498 and CSM
4 4498-A; Chapter 36 of the Statutes of 1977).

5 (21) Graduation Requirements (CSM 4181; Chapter 498 of the
6 Statutes of 1983).

7 (22) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter
8 1184 of the Statutes of 1975).

9 (23) High School Exit Examination (00-TC-06; Chapter 1 of
10 the Statutes of 1999, First Extraordinary Session; and Chapter 135
11 of the Statutes of 1999).

12 (24) Immunization Records (SB 90-120; Chapter 1176 of the
13 Statutes of 1977).

14 (25) Immunization Records—Hepatitis B (98-TC-05; Chapter
15 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979;
16 Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes
17 of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of
18 the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995;
19 Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882
20 of the Statutes of 1997).

21 (26) Interdistrict Attendance Permits (CSM 4442; Chapters 172
22 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of
23 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the
24 Statutes of 1992).

25 (27) Intradistrict Attendance (CSM 4454; Chapters 161 and 915
26 of the Statutes of 1993).

27 (28) Juvenile Court Notices II (CSM 4475; Chapters 1011 and
28 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994;
29 and Chapter 71 of the Statutes of 1995).

30 (29) Notification of Truancy (CSM 4133; Chapter 498 of the
31 Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter
32 19 of the Statutes of 1995).

33 (30) Parental Involvement Programs (03-TC-16; Chapter 1400
34 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of
35 1998; and Chapter 1037 of the Statutes of 2002).

36 (31) Physical Performance Tests (96-365-01; Chapter 975 of
37 the Statutes of 1995).

38 (32) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the
39 Statutes of 1978).

1 (33) Public Contracts (02-TC-35; Chapter 1073 of the Statutes
2 of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the
3 Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter
4 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992;
5 and Chapter 726 of the Statutes of 1994).

6 (34) Pupil Health Screenings (CSM 4440; Chapter 1208 of the
7 Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter
8 750 of the Statutes of 1992).

9 (35) Pupil Promotion and Retention (98-TC-19; Chapter 100
10 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982;
11 Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes
12 of 1990; and Chapters 742 and 743 of the Statutes of 1998).

13 (36) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes
14 of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the
15 Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332
16 of the Statutes of 1986; Chapter 445 of the Statutes of 1992;
17 Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes
18 of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of
19 the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

20 (37) Pupil Expulsions (CSM 4455; Chapter 1253 of the Statutes
21 of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the
22 Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498
23 of the Statutes of 1983; Chapter 622 of the Statutes of 1984;
24 Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes
25 of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256,
26 and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes
27 of 1994).

28 (38) Pupil Expulsion Appeals (CSM 4463; Chapter 1253 of the
29 Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668
30 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

31 (39) Pupil Suspensions (CSM 4456; Chapter 965 of the Statutes
32 of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the
33 Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856
34 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987).

35 (40) School Accountability Report Cards (97-TC-21, 00-TC-09,
36 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997;
37 Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes
38 of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the
39 Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

(41) School District Fiscal Accountability Reporting (97-TC-19; Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of 1995).

(42) School District Reorganization (98-TC-24; Chapter 1192 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

(43) Student Records (02-TC-34; Chapter 593 of the Statutes of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the Statutes of 1998; and Chapter 67 of the Statutes of 2000).

(44) The Stull Act (98-TC-25; Chapter 498 of the Statutes of 1983; and Chapter 4 of the Statutes of 1999).

(45) Threats Against Peace Officers (CSM 96-365-02; Chapter 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of 1995).

(46) Uniform Complaint Procedures (03-TC-02; Chapter 1117 of the Statutes of 1982; Chapter 1514 of the Statutes 1988; and Chapter 914 of the Statutes of 1998).

(47) Williams Case Implementation I, II, and III (05-TC-04, 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

(48) Pupil Expulsions II, Pupil Suspensions II, and Educational Services Plan for Expelled Pupils (96-358-03, 03A, 98-TC-22, 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of 1996; Chapter 637 of the Statutes of 1997; Chapter 498 of the Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001).

(f) Notwithstanding Section 10231.5, on or before November 1 of each fiscal year, the Superintendent of Public Instruction shall produce a report that indicates the total amount of block grant funding each school district, county office of education, and charter school received in that fiscal year pursuant to this section. The Superintendent of Public Instruction shall provide this report to the appropriate fiscal and policy committees of the Legislature,

1 the Controller, the Department of Finance, and the Legislative
2 Analyst's Office.

3 (g) This section shall become inoperative on July 1, 2018, and,
4 as of January 1, 2019, is repealed, unless a later enacted statute,
5 that becomes operative on or before January 1, 2019, deletes or
6 extends the dates on which it becomes inoperative and is repealed.

7 ~~SEC. 16.~~

8 *SEC. 19.* Section 17581.6 is added to the Government Code,
9 to read:

10 17581.6. (a) Funding apportioned pursuant to this section shall
11 constitute reimbursement pursuant to Section 6 of Article XIII B
12 of the California Constitution for the performance of any state
13 mandates included in the statutes and executive orders identified
14 in subdivision (e).

15 (b) Any school district, county office of education, or charter
16 school may elect to receive block grant funding pursuant to this
17 section.

18 (c) (1) A school district, county office of education, or charter
19 school that elects to receive block grant funding pursuant to this
20 section in a given fiscal year shall submit a letter requesting
21 funding to the Superintendent of Public Instruction on or before
22 August 30 of that fiscal year.

23 (2) The Superintendent of Public Instruction shall, in the month
24 of November of each year, apportion block grant funding
25 appropriated pursuant to Item 6110-296-0001 of Section 2.00 of
26 the annual Budget Act to all school districts, county offices of
27 education, and charter schools that submitted letters requesting
28 funding in that fiscal year according to the provisions of that item.

29 (3) A school district or county office of education that receives
30 block grant funding pursuant to this section shall not be eligible
31 to submit claims to the Controller for reimbursement pursuant to
32 Section 17560 for any costs of any state mandates included in the
33 statutes and executive orders identified in subdivision (e) incurred
34 in the same fiscal year during which the school district or county
35 office of education received funding pursuant to this section.

36 (d) Block grant funding apportioned pursuant to this section is
37 subject to annual financial and compliance audits required by
38 Section 41020 of the Education Code.

1 (e) Block grant funding apportioned pursuant to this section is
2 specifically intended to fund the costs of the following programs
3 and activities:

4 (1) Academic Performance Index (01-TC-22; Chapter 3 of the
5 Statutes of 1999, First Extraordinary Session; and Chapter 695 of
6 the Statutes of 2000).

7 (2) Agency Fee Arrangements (00-TC-17 and 01-TC-14;
8 Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes
9 of 2001).

10 (3) AIDS Instruction and AIDS Prevention Instruction (CSM
11 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of
12 1991; and Chapter 403 of the Statutes of 1998).

13 (4) California State Teachers' Retirement System (CalSTRS)
14 Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994;
15 Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838
16 of the Statutes of 1997; Chapter 965 of the Statutes of 1998;
17 Chapter 939 of the Statutes of 1999; and Chapter 1021 of the
18 Statutes of 2000).

19 (5) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes
20 of 1994).

21 (6) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and
22 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and
23 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998;
24 and Chapter 78 of the Statutes of 1999).

25 (7) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes
26 of 2002).

27 (8) Child Abuse and Neglect Reporting (01-TC-21; Chapters
28 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes
29 of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the
30 Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters
31 133 and 754 of the Statutes of 2001).

32 (9) Collective Bargaining (CSM 4425; Chapter 961 of the
33 Statutes of 1975).

34 (10) Comprehensive School Safety Plans (98-TC-01 and
35 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of
36 the Statutes of 1999; and Chapter 828 of the Statutes of 2003).

37 (11) Consolidation of Annual Parent Notification/Schoolsite
38 Discipline Rules/Alternative Schools (CSM 4488, CSM 4461,
39 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM
40 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the

1 Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469
2 of the Statutes of 1981; Chapter 459 of the Statutes of 1985;
3 Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the
4 Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988;
5 Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the
6 Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter
7 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997;
8 Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the
9 Statutes of 1999, First Extraordinary Session; Chapter 73 of the
10 Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895
11 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

12 (12) Consolidation of Law Enforcement Agency Notification
13 and Missing Children Reports (CSM 4505; Chapter 1117 of the
14 Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of
15 1986; and Chapter 832 of the Statutes of 1999).

16 (13) Consolidation of Notification to Teachers: Pupils Subject
17 to Suspension or Expulsion I and II, and Pupil Discipline Records
18 (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

19 (14) County Office of Education Fiscal Accountability Reporting
20 (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987;
21 Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of
22 the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter
23 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes
24 of 1993; Chapters 650 and 1002 of the Statutes of 1994; and
25 Chapter 525 of the Statutes of 1995).

26 (15) Criminal Background Checks (97-TC-16; Chapters 588
27 and 589 of the Statutes of 1997).

28 (16) Criminal Background Checks II (00-TC-05; Chapters 594
29 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of
30 1999).

31 (17) Developer Fees (02-TC-42; Chapter 955 of the Statutes of
32 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the
33 Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923
34 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983;
35 Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes
36 of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter
37 1228 of the Statutes of 1994).

38 (18) Differential Pay and Reemployment (99-TC-02; Chapter
39 30 of the Statutes of 1998).

1 (19) Expulsion of Pupil: Transcript Cost for Appeals (SMAS;
2 Chapter 1253 of the Statutes of 1975).

3 (20) Financial and Compliance Audits (CSM 4498 and CSM
4 4498-A; Chapter 36 of the Statutes of 1977).

5 (21) Graduation Requirements (CSM 4181; Chapter 498 of the
6 Statutes of 1983).

7 (22) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter
8 1184 of the Statutes of 1975).

9 (23) High School Exit Examination (00-TC-06; Chapter 1 of
10 the Statutes of 1999, First Extraordinary Session; and Chapter 135
11 of the Statutes of 1999).

12 (24) Immunization Records (SB 90-120; Chapter 1176 of the
13 Statutes of 1977).

14 (25) Immunization Records—Hepatitis B (98-TC-05; Chapter
15 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979;
16 Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes
17 of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of
18 the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995;
19 Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882
20 of the Statutes of 1997).

21 (26) Interdistrict Attendance Permits (CSM 4442; Chapters 172
22 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of
23 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the
24 Statutes of 1992).

25 (27) Intradistrict Attendance (CSM 4454; Chapters 161 and 915
26 of the Statutes of 1993).

27 (28) Juvenile Court Notices II (CSM 4475; Chapters 1011 and
28 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994;
29 and Chapter 71 of the Statutes of 1995).

30 (29) Notification of Truancy (CSM 4133; Chapter 498 of the
31 Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter
32 19 of the Statutes of 1995).

33 (30) Parental Involvement Programs (03-TC-16; Chapter 1400
34 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of
35 1998; and Chapter 1037 of the Statutes of 2002).

36 (31) Physical Performance Tests (96-365-01; Chapter 975 of
37 the Statutes of 1995).

38 (32) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the
39 Statutes of 1978).

1 (33) Public Contracts (02-TC-35; Chapter 1073 of the Statutes
2 of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the
3 Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter
4 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992;
5 and Chapter 726 of the Statutes of 1994).

6 (34) Pupil Health Screenings (CSM 4440; Chapter 1208 of the
7 Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter
8 750 of the Statutes of 1992).

9 (35) Pupil Promotion and Retention (98-TC-19; Chapter 100
10 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982;
11 Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes
12 of 1990; and Chapters 742 and 743 of the Statutes of 1998).

13 (36) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes
14 of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the
15 Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332
16 of the Statutes of 1986; Chapter 445 of the Statutes of 1992;
17 Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes
18 of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of
19 the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

20 (37) Pupil Expulsions (CSM 4455; Chapter 1253 of the Statutes
21 of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the
22 Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498
23 of the Statutes of 1983; Chapter 622 of the Statutes of 1984;
24 Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes
25 of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256,
26 and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes
27 of 1994).

28 (38) Pupil Expulsion Appeals (CSM 4463; Chapter 1253 of the
29 Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668
30 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

31 (39) Pupil Suspensions (CSM 4456; Chapter 965 of the Statutes
32 of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the
33 Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856
34 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987).

35 (40) School Accountability Report Cards (97-TC-21, 00-TC-09,
36 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997;
37 Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes
38 of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the
39 Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

(41) School District Fiscal Accountability Reporting (97-TC-19; Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of 1995).

(42) School District Reorganization (98-TC-24; Chapter 1192 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

(43) Student Records (02-TC-34; Chapter 593 of the Statutes of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the Statutes of 1998; and Chapter 67 of the Statutes of 2000).

(44) The best practices teacher evaluation system described in Sections 44661 and 44662 of the Education Code.

(45) The Stull Act (98-TC-25; Chapter 498 of the Statutes of 1983; and Chapter 4 of the Statutes of 1999).

(46) Threats Against Peace Officers (CSM 96-365-02; Chapter 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of 1995).

(47) Uniform Complaint Procedures (03-TC-02; Chapter 1117 of the Statutes of 1982; Chapter 1514 of the Statutes 1988; and Chapter 914 of the Statutes of 1998).

(48) Williams Case Implementation I, II, and III (05-TC-04, 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

(49) Pupil Expulsions II, Pupil Suspensions II, and Educational Services Plan for Expelled Pupils (96-358-03, 03A, 98-TC-22, 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of 1996; Chapter 637 of the Statutes of 1997; Chapter 498 of the Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001).

(f) Notwithstanding Section 10231.5, on or before November 1 of each fiscal year, the Superintendent of Public Instruction shall produce a report that indicates the total amount of block grant funding each school district, county office of education, and charter school received in that fiscal year pursuant to this section. The

1 Superintendent of Public Instruction shall provide this report to
2 the appropriate fiscal and policy committees of the Legislature,
3 the Controller, the Department of Finance, and the Legislative
4 Analyst's Office.

5 (g) This section shall become operative on July 1, 2018.

6 *SEC. 20. It is the intent of the Legislature to provide adequate*
7 *resources to train evaluators, continue robust beginning teacher*
8 *induction programs, and support struggling educators.*

9 ~~SEC. 17.~~

10 *SEC. 21.* If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.