

Senate Bill No. 514

Passed the Senate May 25, 1995

Secretary of the Senate

Passed the Assembly August 31, 1995

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1995, at ____ o'clock __M.

Private Secretary of the Governor



CHAPTER ____

An act to amend Sections 42250.1 and 42262 of the Education Code relating to schools, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 514, Greene. School district: year-round operation: air conditioning.

(1) Under existing law, the State Allocation Board is required to allocate to school districts selected by the board funding for the expenses of air-conditioning equipment and insulation materials and for the costs of installing the equipment and materials, for schools operating in the current fiscal year or planning to operate in the subsequent fiscal year on a year-round or continuous basis, as specified. Existing law requires a school district that has received an allocation for the expenses of air-conditioning materials or installation that was scheduled to begin operating year-round in the subsequent fiscal year but that did not begin operating year-round in that fiscal year to repay the amount allocated with interest to the State School Building Fund.

This bill would instead provide that the board shall allocate funding for the expenses of air-conditioning materials and equipment for schools operating in the current fiscal year or planning to operate in the second subsequent fiscal year. In addition, the bill would require a school district to repay these allocated funds with interest for the expenses of air-conditioning materials or installation if the school district did not begin operating year round in the second subsequent fiscal year.

(2) Existing law provides year-round school implementation grants for the purposes of the implementation of multitrack year-round school programs. Existing law also provides that if a schoolsite does not operate on a multitrack year-round basis in the fiscal year subsequent to receiving an implementation



grant, the school district must repay the grant, as specified.

This bill would instead require the school district to repay the grant with interest if the schoolsite does not operate on a multitrack year-round basis in the second subsequent fiscal year following receipt of the grant.

(3) The bill would make a statement of legislative intent that the act is to apply to school districts that received an allocation or implementation grant in the 1993–94 or 1994–95 fiscal year.

(4) This bill would also declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 42250.1 of the Education Code is amended to read:

42250.1. (a) From funds appropriated by the Legislature for this purpose for any fiscal year, the State Allocation Board shall allocate to school districts selected by the board pursuant to this section, funding for the expenses of air-conditioning equipment and insulation materials, and for the costs of installing the equipment and materials, for schools operating in the current fiscal year or planning to operate in the second subsequent fiscal year on a year-round or continuous basis pursuant to Chapter 3 (commencing with Section 37400), Chapter 4 (commencing with Section 37500), or Chapter 5 (commencing with Section 37600) of Part 22.

(b) The board shall allocate the funds appropriated under subdivision (a) only to those school districts in which a high percentage of the pupils, or a significant number of the pupils, are enrolled in the current fiscal year or will be enrolled in the second subsequent fiscal year in year round or continuous schools as described in subdivision (a). The board shall grant preference in the allocation of those funds to those year round or continuous schools that are both situated in climates that require air-conditioning and insulation during June, July, and August, and have a high percentage of overcrowding



of pupils. In addition, all schools participating in the demonstration program provided pursuant to Chapter 2.5 (commencing with Section 37300) of Part 22 and satisfying the criteria set forth in this subdivision shall be eligible to receive, and given priority for, the maximum allocation of funds under this section.

(c) Whenever a school district has received an allocation pursuant to this section for a school that was scheduled to begin operating year round in the second subsequent fiscal year but that did not begin operating year round in that fiscal year, the school district shall repay the amount allocated with interest to the State School Building Fund.

(d) A school district may elect to apply for funding under this section on a basis that groups two or more qualifying schools in the district.

A school district that elects to apply for funding pursuant to this subdivision shall identify the cost for each school in that application. The total of those costs shall be the maximum amount apportioned by the state for those schools contained in that single application and that amount shall be no more than the amount that would have been apportioned to each school if each school had submitted an application individually.

(e) Funds allocated to any school district under this section may be expended only to pay the actual allowable expenses of air-conditioning equipment and insulation materials, and of the installation of air-conditioning equipment and insulation materials, at the project sites that generated the funding eligibility.

SEC. 2. Section 42262 of the Education Code is amended to read:

42262. (a) Year-round school grants awarded under this article for purposes of the implementation of multitrack year-round school programs shall be expended for the following purposes:

(1) Planning, including community activities, necessary for that implementation.



(2) One-time minor capital outlay and equipment associated with converting school facilities to multitrack year-round operation.

(3) Deferred maintenance on facilities proposed for multitrack year-round operation.

(4) Other necessary activities associated with conversion to multitrack year-round operations, including, but not limited to, curriculum revision and scheduling changes and staff development.

(b) These implementation grants are available on a one-time basis for each new multitrack year-round schoolsite, subject to application approval, in an amount up to twenty-five dollars (\$25) per pupil currently enrolled in the site planned for year-round operation, as that pupil enrollment is identified in the CBEDS report transmitted to the State Department of Education by the school district.

For purposes of this subdivision, “CBEDS report” means the report transmitted by school districts to the State Department of Education for purposes of the California Basic Education Data System that exists within the department and is based upon a single annual collection of data about school staff and pupil enrollment conducted by the department for reporting, program management, and planning purposes.

The superintendent may approve all or any portion of an application for an implementation grant, as described in subdivision (a) of this section, up to a maximum of one hundred thousand dollars (\$100,000) per schoolsite. If the applications submitted exceed the appropriations available for this purpose, the amount per pupil shall be prorated by an equal amount.

(c) If a schoolsite does not operate on a multitrack year-round basis in the second subsequent fiscal year following receipt of a year-round implementation grant pursuant to this section, the school district shall repay the implementation grant received for that schoolsite, plus interest that the repayment amount would have earned in the Pooled Money Investment Fund, within one year following the date on which the schoolsite was to begin to



operate on a multitrack year-round basis. If the grant, plus interest, is not repaid within the one-year period, the Superintendent of Public Instruction shall withhold the total amount owed pursuant to this subdivision from the apportionment to be made to that district calculated pursuant to Section 42238.

SEC. 3. It is the intent of the Legislature that the amendments to Sections 42250.1 and 42262 of the Education Code made by this act apply to school districts that received an allocation or an implementation grant pursuant to Sections 42250.1 or 42262 of the Education Code, respectively, in the 1993–94 or 1994–95 fiscal year.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for school districts that have received an allocation in the 1993–94 or 1994–95 fiscal year pursuant to Section 42250.1 of the Education Code or an implementation grant in the 1993–94 or 1994–95 fiscal year pursuant to Section 42262 of the Education Code, but are unable to begin operating a year-round school in the subsequent fiscal year, to have an additional fiscal year in which to begin that operation without being required to repay the amount allocated with interest or to repay the implementation grant with interest, it is necessary that this act take effect immediately.



Approved _____, 1995

Governor

