

Senate Bill No. 527

CHAPTER 533

An act to add Article 10 (commencing with Section 33430) to Chapter 3 of Part 20 of Division 2 of Title 2 of, and to repeal Section 33434 of, the Education Code, relating to education finance.

[Approved by Governor September 23, 2016. Filed with
Secretary of State September 23, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 527, Liu. Education finance: Safe Neighborhoods and Schools Fund: Learning Communities for School Success Program.

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, among other things, established the Safe Neighborhoods and Schools Fund, a continuously appropriated fund, which is funded by savings that accrue to the state from the implementation of the act. The act provides that, among other purposes, 25% of the funds shall be disbursed to the State Department of Education to administer a grant program to public agencies aimed at improving outcomes for public school pupils by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime.

This bill would establish the Learning Communities for School Success Program for the purpose of implementing that grant program, subject to an appropriation to the Safe Neighborhoods and Schools Fund in the annual Budget Act or another statute for the purposes of the bill. The bill would specify the administrative duties and responsibilities of the department with respect to the program, including administering grants and coordinating assistance to local educational agencies, as defined. The bill would set forth criteria to guide the department in awarding grants under the program, and would specify the purposes for which grant funds may be used. The bill would require the department to submit a final evaluation of the program to the Legislature on or before January 31, 2020.

These provisions would become operative only if AB 1014 of the 2015–16 Regular Session is chaptered and becomes operative on or before January 1, 2017.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) The Safe Neighborhoods and Schools Act, approved as Proposition 47 by the voters at the November 4, 2014, statewide general election (the

act), made significant changes to the state's criminal justice system by reducing the penalties for certain nonviolent, nonserious drug and property crimes. The act requires the state savings realized from these criminal justice changes to be deposited in the Safe Neighborhoods and Schools Fund and spent on prevention and support services with the intent of reducing crime, including truancy and dropout prevention.

(b) The act requires 25 percent of the moneys deposited in the Safe Neighborhoods and Schools Fund to be allocated to the State Department of Education for administration of a grant program to reduce truancy and support pupils who are at risk of dropping out of school or who are victims of crime.

(c) In accordance with the act, the funding provided to K–12 education should be used to help build the capacity of local educational agencies to identify and implement evidence-based, nonpunitive programs and practices to keep our most vulnerable pupils in school, consistent with each local educational agency's local control and accountability plan, including, but not limited to, its goals for pupil engagement and school climate.

(d) California needs to increase the knowledge base concerning which strategies are most effective for improving pupil success and eliminating the school-to-prison pipeline, including, but not necessarily limited to, providing resources to local educational agencies to establish community schools and address pupil attendance problems in kindergarten and grades 1 to 3, inclusive. One manner in which this can be accomplished is for the local educational agencies participating in the K–12 education grant program pursuant to the act to report and evaluate outcomes using multiple measures, while engaging in a broader community of practice that disseminates promising and proven strategies to local educational agencies statewide.

SEC. 2. Article 10 (commencing with Section 33430) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 10. The Learning Communities for School Success Program

33430. The Learning Communities for School Success Program is hereby established for the purpose of implementing, pursuant to paragraph (1) of subdivision (a) of Section 7599.2 of the Government Code, the K–12 education portion of the Safe Neighborhoods and Schools Act, as approved as Proposition 47 by the voters at the November 4, 2014, statewide general election. Through this program, the department shall administer grants and coordinate assistance to local educational agencies to support the local educational agencies in identifying and implementing evidence-based, nonpunitive programs and practices that are aligned with the goals for pupils contained in each of the local educational agency's local control and accountability plan pursuant to Section 47606.5, 52060, or 52066, as applicable.

33431. (a) A local educational agency that chooses to apply for funding pursuant to this article shall submit an application to the department to

receive a grant, in a format and by a date determined by the department. An application submitted to the department by a local educational agency shall include, at a minimum, all of the following:

(1) Information about the pupil and school needs within the local educational agency.

(2) The activities the local educational agency will undertake with the grant funding.

(3) How the activities specified in paragraph (2) support the local educational agency's goals for pupils contained in its local control and accountability plan.

(4) How the local educational agency will measure outcomes associated with the activities specified in subdivision (e) and metrics reported in the local educational agency's local control and accountability plan.

(b) An application shall be for three years of grant funding. Consistent with the provisions of this article, the department may establish requirements for grantees to meet at the end of the first and second years of funding in order to receive funding for the remaining grant period.

(c) The department shall determine eligibility for grants and the distribution of grant funding based on all of the following factors:

(1) Pupil and school needs the local educational agency will address with the grant funds.

(2) Number of pupils to be served with the grant funds.

(3) Number, size, and type of participating schools within the local educational agency.

(4) Any challenges the local educational agency experiences in building capacity for fulfilling the purposes of this article.

(5) The unique characteristics of small school districts, given their challenges with economies of scale and access to services in rural locations.

(d) (1) Before the initial application deadline, the department shall conduct targeted outreach to local educational agencies that are likely to be given priority pursuant to subdivision (b) of Section 33432 and shall offer the local educational agencies technical assistance as they develop their grant applications.

(2) The department may provide technical assistance with application development to any local educational agency that requests assistance. This may include assistance from external entities the department may contract with as part of the training and technical assistance structure established pursuant to Section 33433.

(e) The department shall issue application guidelines that include, at a minimum, information about the department's plans for overall evaluation of the program considering the objectives identified in Section 33434. For purposes of facilitating program evaluation, the department, in consultation with the executive director of the state board, shall identify a set of measures and associated data sources that are deemed valid and reliable for measuring pupil and school outcomes and assessing the benefits of the program.

(f) In meeting the requirements of this section, the department shall consult with stakeholders, including, but not limited to, representatives of

local educational agencies, teachers and other school personnel, parents, advocacy organizations with experience working with target vulnerable populations, and parent- and youth-serving community-based organizations. It the intent of the Legislature that stakeholders provide input to the department on the design of the application and review process, including the size of the grant awards. The stakeholders shall not be involved in determining who will be awarded grants.

33432. (a) A local educational agency that receives a grant shall use the grant funds for planning, implementation, and evaluation of activities in support of evidence-based, nonpunitive programs and practices to keep the state's most vulnerable pupils in school. These activities shall complement or enhance the actions and services identified to meet the local educational agency's goals as identified in its local control and accountability plan pursuant to Section 47606.5, 52060, or 52066, as applicable. These activities may include, but are not limited to, all of the following:

(1) Establishing a community school, as defined in Section 33435.

(2) Implementing activities or programs to improve attendance and reduce chronic absenteeism, including, but not limited to, early warning systems or early intervention programs.

(3) Implementing restorative practices, restorative justice models, or other programs to improve retention rates, reduce suspensions and other school removals, and reduce the referral of pupils to law enforcement agencies.

(4) Implementing activities that advance social-emotional learning, positive behavior interventions and supports, culturally responsive practices, and trauma-informed strategies.

(5) Establishing partnerships with community-based organizations or other relevant entities to support the implementation of evidence-based, nonpunitive approaches to further the goals of the program.

(6) Adding or increasing staff within a local educational agency whose primary purpose is to address ongoing chronic attendance problems, including, but not necessarily limited to, conducting outreach to families and children currently, or at risk of becoming, chronically truant.

(b) In selecting grant recipients pursuant to this article, the department shall give priority to a local educational agency that meets any of the following criteria:

(1) (A) Has a high rate of chronic absenteeism, out-of-school suspension, or school dropout for the general pupil population or for a numerically significant pupil subgroup, as identified in a local control and accountability plan pursuant to paragraphs (2) and (3) of subdivision (a) of Section 52052.

(B) For purposes of this paragraph, "high rate" means a rate that exceeds the state average.

(2) Is located in a community with a high crime rate.

(3) Has a significant representation of foster youth among its pupil enrollment.

(c) A local educational agency that receives a grant shall provide a local contribution of matching expenditures equal to at least 20 percent of the

total grant award. This local contribution can be from cash expenditures or in-kind contributions. A local educational agency is encouraged to exceed the 20-percent match requirement to enable the local educational agency to sustain the activities or programs established under this article beyond the three-year grant period.

(d) A local educational agency that receives a grant shall use the grant funds to increase or improve services that the local educational agency currently provides for purposes specified in this article.

(e) A local educational agency shall not use grant funds to pay for law enforcement activities, including personnel or equipment.

33433. (a) The department shall use the funding the Safe Neighborhoods and Schools Act authorizes for administrative costs pursuant to subdivision (b) of Section 7599.2 of the Government Code, which is no more than 5 percent of the annual funding the department receives from the Safe Neighborhoods and Schools Fund, for the administrative costs of implementing this article, including, but not limited to, administering grant awards, coordinating the training and technical assistance structure described in subdivision (b), and completing the evaluation pursuant to Section 33434.

(b) The department shall establish a structure to deliver training and technical assistance to grantees using regional workshops and technical assistance providers that have expertise on pupil engagement, school climate, truancy reduction, and supporting pupils who are at risk of dropping out of school or who are victims of crime. The department may contract with those providers to assist the grantees as well as to serve as a resource for other local educational agencies that may use their own funding sources to engage in this community of practice. Technical assistance provided pursuant to this subdivision shall be consistent with the technical assistance provided to a local educational agency by the county superintendent of schools or the Superintendent, as appropriate, in the development of the local control and accountability plan.

33434. (a) A local educational agency that receives grant funding pursuant to this article shall evaluate and report to the governing board of the school district, the county board of education, or its chartering authority, as applicable, and the department the results of the activities it undertakes pursuant to this article. The department shall compile information from grantee reports as part of an overall evaluation of the grant program implementation. The department shall assess the benefits of participation in the program and identify the pupil and school outcomes associated with the strategies and programs implemented by grantees. The department shall submit an interim report of preliminary evaluation findings to the Legislature on or before January 31, 2019, and a final evaluation report to the Legislature on or before January 31, 2020.

(b) (1) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 31, 2024.

33435. For purposes of this article, the following definitions apply:

(a) “Community school” means a public school that participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships with one or more community partners for the delivery of community services that may be provided at a schoolsite to pupils, families, and community members.

(b) “Local educational agency” means a school district, county office of education, or charter school.

33436. This article shall not become operative unless funds are appropriated in the annual Budget Act or another statute to the Safe Neighborhoods and Schools Fund in accordance with the Safe Neighborhoods and Schools Act for the purposes specified in this article.

SEC. 3. Sections 1 and 2 of this act shall become operative only if Assembly Bill 1014 of the 2015–16 Regular Session is chaptered and becomes operative on or before January 1, 2017.