

Equity Impact Analysis

February 2023

In Compliance with AB 1912

Prepared for

Inglewood Unified School District



Worthington TK-6 Elementary School

 **TOTAL SCHOOL SOLUTIONS**
4751 MANGELS BOULEVARD
FAIRFIELD, CA 94534

February 2023
BOARD OF EDUCATION

Board Members	Area
Brandon G. Myers, <i>President</i>	3
Carliss McGhee, Ph.D., <i>Vice-President</i>	2
Ernesto Castillo, <i>Member</i>	5
Margaret Evans, M.A., <i>Member</i>	4
Joyce L. Randall, <i>Member</i>	1

Administration

James Morris, Ed.D., *County Administrator*

Dr. Brian Coffey, *Chief Human Resources Officer*

Bernadette C. Lucas, Ed.D., *Chief Academic Officer*

Marguerite Williams, Ed.D., *Chief Business Official*

Table of Contents

Background	1
SB 553 and AB 1840	1
Declining Enrollment.....	1
Districts Across the State Are Closing Schools.....	2
Comparison Districts	2
School Closure and Consolidation Committee	3
AB 1912	3
Condition of Facility	5
Facilities Master Plan	5
Summary of Worthington TK-6 Campus.....	7
Findings	8
The Operating Cost of a School and the Associated Savings (Education Code Section 41329 (a)(1)(B)) ..	9
The Economics of Schools.....	9
Estimated Savings	9
Findings	11
The Capacity of the School to Accommodate Excess Students (Education Code Section 41329 (a)(1)(C))	12
.....	12
District Capacity	12
Loading Standards.....	12
Permanent and Portable Classrooms	12
Woodworth.....	14
Findings.....	16
Availability and Transferability of Special Programs	17
Schools in Close Proximity of Worthington to Absorb Programs	17
Comparison of Programs at Worthington and Woodworth-Monroe.....	18
Special Programs Provided at Both School Campuses.....	19
Woodworth-Monroe TK-8 Academy Special Programs	20
Worthington Elementary Special Programs.....	21
Programs for English Learners	21
Programs for Students in Special Education.....	22
Summary	23
Analysis	23

Findings	25
Environmental Factors (Education Code Section 41329 (a)(1)(E))	26
The City of Inglewood	26
Worthington and Woodworth-Monroe Elementary Schools	26
Traffic	26
Proximately to Freeway Access	26
Other Environmental Factors.....	27
Findings	27
Balance of Pupil Demographics (Education Code Section 41329 (a)(1)(E))	28
Worthington.....	28
Enrollment By Student Group	28
Enrollment by Ethnicity.....	28
Woodworth-Monroe.....	29
Enrollment By Student Group	29
Enrollment by Ethnicity	30
Worthington and Woodworth-Monroe Combined	30
Worthington and Woodworth-Monroe Unification	30
Enrollment By Student Group	30
Enrollment by Ethnicity.....	31
Findings	32
Transportation Needs of Pupils (Education Code Section 41329 (a)(1)(G)).....	33
School Transportation Requirements	33
Special Education	33
Home to School Transportation.....	33
Walking Distances	35
Major Roadways	35
Inter- and Intra-District Transfer Students Transportation	36
Field Trips.....	36
Findings	37
Aesthetics and the Opportunity for Blight and Negative Impact (Education Code Section 41329 (a)(1)(H)).....	38
Asset Management	38
District Advisory Committee	38

Inglewood Unified School District Asset Management Committee	39
Post Committee Recommendation Disposition Process	39
Findings	40
Impact on Feeder and Other School Attendance (Education Code Section 41329 (a)(1)(I))	41
Feeder School Attendance	41
Impact on Other Schools.....	41
Other Schools and Specialized Programs.....	42
Findings	42
Additional AB 1912 Analysis (Education Code Section 41329 (a)(2)(A))	43
Factors used to Identify List of Schools for Closure and Consolidation.....	43
The School Closure and Consolidation Committee.....	43
Equity Impact Analysis Findings for Each School Closure or Consolidation.	44
Plan For the Use of School’s Proposed for Closure or Consolidation Once it Has Become a Vacated Facility	44
Criteria Used to Assign Displaced Pupils to Other School Sites, or a Description of the Process of Reassignment that will be Used by the School District.	44
Options and Timelines for Transitioning Pupils to Their New Schools, Including Improving Safe Routes to Schools and Home-to-School Transportation Needs.	45
Appendix A: Senate Bill No. 533	47
Appendix B: Assembly Bill 1840.....	55
Appendix C: Assembly Bill No. 1912	117
Appendix D: Comparison of the Number of Schools in Similar School Districts.....	121
Appendix E: Map of IUSD School Boundaries	122

Background

SB 553 and AB 1840

In 2012, Governor of California approved Senate Bill (SB) 553 which authorized a loan up to \$55 million to the Inglewood Unified School District (District). Since the District was projected to be financially insolvent, this loan was needed to keep the District operating and continuing to serve students. As a condition for receiving this loan, the District was placed in state receivership and, since that time, it has an appointed Administrator assigned to oversee the District. Declining enrollment and the underutilization of facilities has been recognized as one of the several key factors leading to the District's insolvency.

Subsequently, Assembly Bill 1840 (AB 1840) passed and became effective on September 17, 2018. AB 1840 provides for several changes in the oversight of fiscally distressed districts and accordingly sets forth specific requirements for the Inglewood Unified School District.

AB 1840 contains several requirements for the District including:

“Complete comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability.”

The Bill also states:

"Disbursement of funds specified in subdivision (b) shall be contingent on the Inglewood Unified School District's completion of activities specified in the prior year's Budget Act to improve the school district's fiscal solvency. These activities may include, but are not limited to, all of the following:

(2) Adoption and implementation of necessary budgetary solutions, including the consolidation of school sites."

Since the District has gone into receivership, the Financial Crisis and Administrative Team (FCMAT) has been providing regular reports and updates to the District on the District's financial status. FCMAT opined in several subsequent reports that:

... continuing to operate the same number of schools underutilizes school sites for an undefined number of years and poses a financial burden on the district.... ”

Overall, to move out of receivership and to restore local control, the District must improve in five areas including: Community Relations and Governance, Personnel Management, Pupil Achievement, Financial Management, and Facilities Management.

Declining Enrollment

Similar to what has been happening in many school districts in California, as well as in Los Angeles County, there has been a significant drop in District student enrollment over the past several years as demonstrated in the graph below:

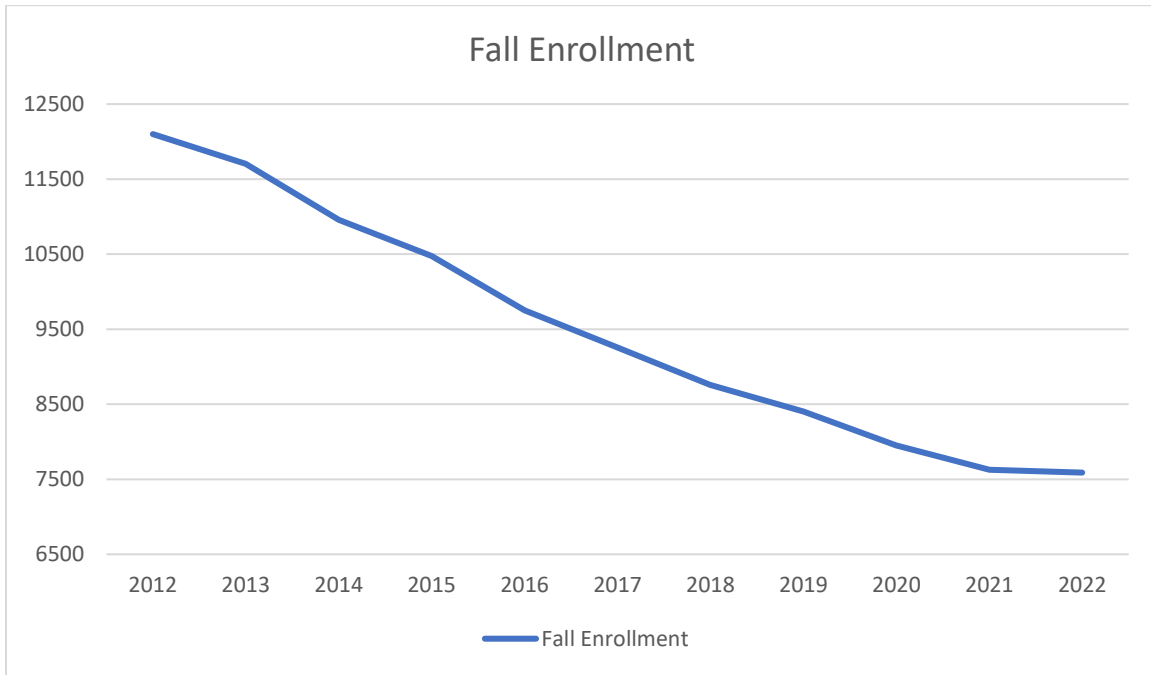


Figure 1: Inglewood unified school district enrollment from 2013-2022

Since funding is tied to enrollment, the decrease in students also reduces the District’s funding, and creates a challenge for the District to continue to operate a large number of schools.

Districts Across the State Are Closing Schools

Declining enrollment is not a problem unique to the Inglewood USD. California has far fewer students attending its public schools than it did a decade ago and it does not appear that this trend is going to reverse itself in the foreseeable future. Increased housing costs, couples having fewer children and the pull of charter and independent schools have left dozens of school districts with too many schools serving too few children. Inglewood USD, with an approximate 37% drop in enrollment since 2013, is but one example.

This is why Districts are closing schools. Ojai Unified, Oakland Unified, Duarte Unified, Baldwin Park Unified, Azusa Unified are but a sampling of School Districts which have had to make the difficult and unpopular choice to close schools to preserve the financial health and educational well-being of their students. No one wants to close a school, but closing schools gives current and future students a chance at a better education.

Comparison Districts

The concern that the District is currently operating too many schools for the number of pupils it serves is well founded. In the fall of 2022, during the process of determining the feasibility of consolidating schools, a comparison with the similar school districts was conducted. When the District was compared to two similar comparable district groups, the District was shown to operate more schools than those districts (Appendix C). The first comparison group had the districts in Los Angeles County with enrollment between 6,000 and 10,000 students. The District was found to be operating more schools than any of the 9 other comparable districts and it was the only district that operated three high schools. In a state-wide

comparison of districts with similar demographic compositions -- with an unduplicated count of 50% to 90%, a Black/African-American population of 10% to 40%, Hispanic/Latino population of 45% to 80% --the District also was shown operating more schools in proportion to its enrollment.

School Closure and Consolidation Committee

The Budget Act of 2020 appropriated \$5,772,000 to the District (AB1840 funds) and mandated that the disbursement of these funds be contingent on the District's completion of the following:

- a) Adoption and implementation of necessary budgetary solutions.
- b) Adoption of a preliminary school and school district facility closure and consolidation plan and initiation of any regulatory approval process, including the California Environmental Quality Act and other state or local approval, related to the sale or lease of surplus property

On May 12, 2021, a presentation was made to the Board of Education by the District's Legal Counsel outlining the District's proposed closure and consolidation plan. This plan included the formation of the School Closure and Consolidation Committee (SCCC). On September 30, 2021, the SCCC held its first meeting. The SCCC was entrusted to analyze large data, regarding demographic, facilities and other related matters. The purpose was to create a transparent process to consider schools for consolidation or closure and to develop recommendations for the County Administrator to consider. The Committee met six times between May 12, 2021 and January 24, 2022.

At the January 24, 2022 meeting, the Committee made the following recommendations:

- Close Warren Lane Elementary School
- Consolidate Inglewood Continuation High School

The SCCC also reached consensus to consider making a recommendation to close Worthington in the 2023-24 school year.

The SCCC continued to meet during the 2022-23 school year, meeting six more times between October 17, 2022 and January 12, 2023. Although the Committee voted against the motion to recommend the closure of Worthington Elementary School, the financial, facility and educational circumstances require the District to nevertheless consider this closure.

AB 1912

In September of 2022, the Governor signed AB 1912, which is codified in Education Code section 41329, and which requires a school district under financial distress, to conduct an equity impact analysis while considering school closures or consolidations prior to reaching a final decision. AB 1912 requires the District to develop a set of metrics for the development of the equity impact analysis, and to make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis. The metrics shall include, but are not limited to, all of the following:

- A. The condition of a school facility.
- B. The operating cost of a school and the associated savings resulting from a closure or consolidation.

-
- C. The capacity of a school to accommodate excess pupils.
 - D. Special programs available at the schools being considered for closure or consolidation and whether those programs will be provided at the same current level at the schools to which pupils will be diverted.
 - E. Environmental factors, including, but not limited to, traffic and proximity to freeway access.
 - F. Balance of pupil demographics, including race or ethnicity, pupils with disabilities, English learners, foster youth, and homeless youth, in the schools being considered for closure or consolidation, and the resulting demographic balance of pupils after placement in other schools, in order to determine if the decision to close or consolidate will have a disproportionate impact on any particular demographic group.
 - G. Transportation needs of pupils.
 - H. Aesthetics and the opportunity for blight and negative impact on the surrounding community.
 - I. Impact on feeder school attendance patterns with the closure of any particular school and whether the closure will attenuate attendance at other schools or specialized programs as a result.

Section (2) (a) of Education Code Section 41329 also requires the District to provide the following information:

- i. Factors used to Identify the list of School closure or consolidations
- ii. Equity impact analysis findings for each school closure or consolidation
- iii. Plans for the use of schools proposed for closure once it becomes a vacated facility
- iv. Criteria used to assign displaced pupils to other school sites or a description of the process of reassignment that will be used by the school district
- v. Options and timeline for transitioning pupils to their new schools, including improving safe routes to schools and home-to-school transportation needs.

After extensive data collection, analysis, public committee meetings and public input, and to address the enrollment, facility, financial and educational challenges of the District, the District is considering the closure of Worthington TK-6 Elementary School (Worthington). This report has been created to analyze the metrics in Education Code 41329 and to provide a greater level of transparency for the potential closure of Worthington and unification with Woodworth-Monroe TK-8 Academy (Woodworth-Monroe).

Condition of Facility

Facilities Master Plan

The conditions of the facilities within a school district are documented in the district's facilities master plan (FMP). The FMP is typically developed by school districts every 8 to 10 years, although depending on a district's individual needs, this plan may be commissioned and/or revised more frequently. The FMP provides a road map that can guide a district in trying to create an ideal physical environment to fulfill its mission and achieve its goals. FMP can include a plethora of information about school facilities, and if coupled with a demographic study, can also provide a wealth of information regarding enrollment and future projected enrollment, as well as where the families of students who attend the district schools reside. The report also may include other important information such as the grade levels at specific school facility serves, the number of students enrolled at a school from both the attendance area and outside the attendance area. A detailed assessment of the condition of the district's facilities is included in FMP along with estimated costs for new construction, repairs and upgrades.

The District engaged Little Diversified Architects, which produced an FMP in 2022. The report includes an assessment of the conditions of school facilities. All of the information, including tables used in this section of the report, was taken from the District's 2022 FMP.

Students must feel comfortable and safe in their learning environment in order to achieve educational and social emotional goals. There is research that indicates that the learning environment is the most important variable in achieving educational outcomes. Therefore, the condition of school facilities is paramount to student success.

According to the FMP, "Understanding the condition of each campus from several perspective provides a vital baseline for assessing the foundational needs and can provide insight into project prioritization." The District's Facilities Master Plan includes a baseline assessment of the following conditions:

1. Building and Site Conditions
2. Building and Site Functionality
3. Education Needs for Performance: Health and Wellness

Data gathered about the facility conditions were used to develop a Facility Conditions Assessment (FCA). The FCA includes:

- The amount of funding needed for immediate repairs
- The amount of funding needed for immediate repairs as well as repairs needed within 2-10 years

Specifically, the FCA evaluated the following components:



Figure 2: Components evaluated for the facility conditions assessment

The FMP also provides a “facility condition index” or FCI. The FCI is a factor of the immediate repair cost divided by the current replacement value of the school. The replacement value of the school is determined by multiplying the existing school building square footage (SF) by the cost per SF to construct a new, similar facility on a similar site. The FCI is a key performance indicator provided as a percentage. The higher percentage represents the worse rating. The ratings are divided into bands as shown below.

Table 1
FCI ratings for Inglewood unified district schools

PROPERTY NAME	FCI CURRENT YEAR	IMMEDIATE REPAIRS	TOTAL IMMEDIATE + YEARS 2-10 REPAIRS	10 YEAR FCI
NORTH				
Centinela Elementary TK-6	2.10%	\$673,798	\$10,978,710	33.80%
Highland TK-6	0.10%	\$22,848	\$8,048,844	31.40%
Frank D. Parent K-8	5.20%	\$1,068,981.00	\$5,729,556	27.90%
La Tijera Charter TK-8	0.30%	\$83,268	\$5,184,912	20.20%
Inglewood High School	21.30%	\$24,721,954	\$39,571,576	34.20%
WEST				
Beulah-Payne STEAM TK-8	0.20%	\$26,351	\$2,982,721	19.40%
Hudnall K-8	1.00%	\$97,778	\$3,624,201	35.50%
Kelso K-6	20.00%	\$3,011,220	\$8,649,846	57.60%
Oak Street TK-6	1.70%	\$277,113	\$3,669,869	22.50%
Crozier Middle School	1.00%	\$378,479	\$8,499,911	22.30%
City Honors College Prep	9.50%	\$828,825	\$2,349,405	27.00%
EAST				
Bennet-Kew K-6	1.90%	\$353,796	\$3,030,886	16.30%
Warren Lane K-6	0.70%	\$87,324	\$3,629,768	29.40%
Worthington TK-5	21.40%	\$3,053,183	\$6,848,957	48.10%
Woodworth-Monroe K-8	2.90%	\$962,958	\$8,350,363	25.10%
Morningside High School	6.00%	\$4,126,158	\$13,984,209	20.30%

GOOD <5%

FAIR 5-10%

POOR >10%

VERY POOR +/- 40%

Summary of Worthington TK-6 Campus

Worthington has a current year FCI rating of 21.4%, which is considered poor. The 10 Year FCI rating increases to 48.1% which is considered very poor. This rating is determined by calculating the short-term costs, based on the current conditions observed, and the estimated remaining useful life for the various building systems and materials. According to the facility report, the immediate repair cost needed to maintain this school facility is \$3,053,183. This happens to be the highest amount needed for immediate repairs compared to all other campuses of the District, and more than triple the amount needed for repairs at the closest elementary campus -- Woodworth-Monroe, which is a much larger campus.

Comparatively, Worthington has the poorest current year FCI and the second poorest 10-year FCI cost.

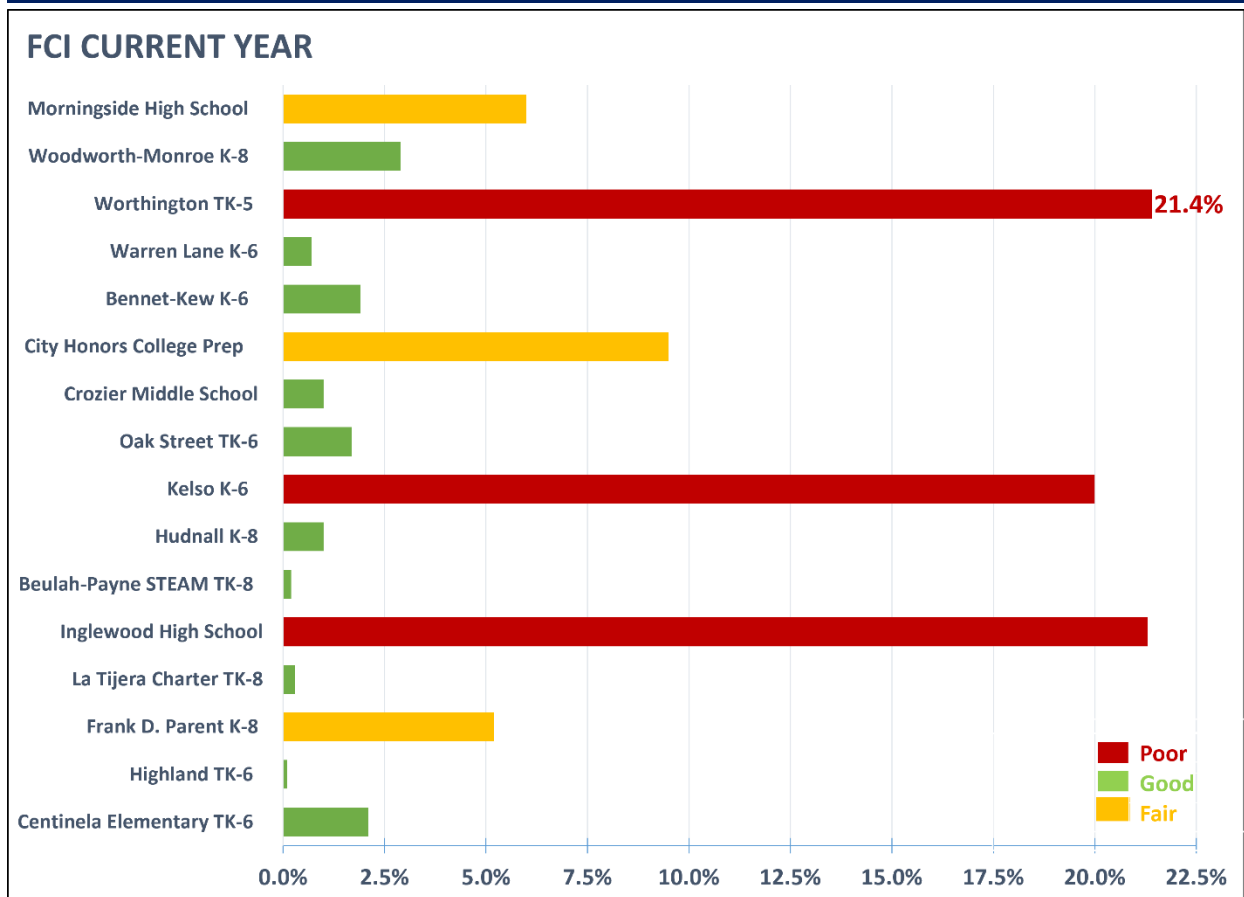


Figure 3: Poor FCI of Worthington as compared to other schools

Findings

Worthington is in need of significant immediate repairs as well as significant long-term repairs. The FMP rates the school’s condition as poor. If the school remains open, it will likely need a disproportionate amount of resources from the District’s routine restricted maintenance account as well as the bond funding to keep the school reasonably maintained. The District currently funds the routine restricted maintenance fund above the required 3%. This amount above the required 3% are funds that could be otherwise used for the general educational program. Based on the data provided in the FMP, regarding the condition of Worthington and the associated cost to properly maintain the school, from the facility condition perspective, it is logical that this campus be considered for closure.

The Operating Cost of a School and the Associated Savings (Education Code Section 41329 (a)(1)(B))

The Economics of Schools

School districts operate in accordance with many of the same economic principles that apply to most businesses including the theory of economy of scale. In economic terms, this theory states that cost reductions occur when companies increase production since fixed costs are spread over more units produced. The inverse is also generally true, and costs per unit increase when companies reduce production since the allocated fixed costs per unit increase.

In school districts, as enrollment decreases, unless adjustments are made to respond to it, the cost per student increases since the fixed costs of operating schools generally cannot be decreased in the same proportion that the enrollment decreased. This dynamic causes the smaller schools to operate at a greater per pupil cost than the larger schools. This situation can create inequity among schools in the same district. Fixed costs in schools include administrative, clerical as well as a variety of other support staff.

Estimated Savings

In August of 2022, the District engaged Eric Hanson and Associates to conduct a study to estimate the costs savings of closing any school in the district, including the closure of Worthington. The study used budget numbers available at that time and appears to be a reasonable projection. The estimates are based on the current fiscal current year (2022-23) and do not include any increase in cost that may occur in the following years.

The study projects estimated salaries and benefits to be \$3,285,341 for the current year.

Table 2

Current Budget Salary and Benefits

2022-23 Projected Salaries	2,183,131
2022-23 Projected Benefits	1,102,210
2022-23 Projected Salaries and Benefits	3,285,341

Since many of these personnel would be transferred to other sites, this amount does not represent the savings generated by closing the school. The total reduction in Full Time Equivalent (FTE) (1.0 FTE is essentially equal to a full-time employee) generated by the closure is 11.0 and includes the following positions:

- Principal
- Office Manager
- Student Supervision Assistant
- Elementary Lead Custodian
- School Safety Assistant
- Custodian
- Clerk Typist

- Counselor
- Community Liaison Specialist

The total amount of savings generated by eliminating 11 FTE of these positions is projected to be \$867,267, provided that relocation of students to other campuses does not cause an increase in staffing in these classifications at those campuses.

Table 3

Potential Savings Salary and Benefits	
Projected Salary Savings*	573,432
Projected Benefit Savings*	293,835
Projected Salary and Benefit Savings	867,267

These savings are based on projected 2022-23 salary and benefits of the positions identified, including positions funded from restricted resources such as Local Control Funding Formula (LCFF), Supplemental and Concentration Grant funding.

In California, a school district’s main operating funding resources are in the general fund. This fund’s accounting is divided into two sets of accounts: the unrestricted accounts, which can be used for any educational purpose, and the restricted accounts, which limits expenditures to certain categories. If a restricted expenditure is reduced, the money is available to spend in the same category that the funds are intended for, but this reduction does not save any operating funds.

Of the \$867,267 savings generated by the elimination of the 11 FTE mentioned above, the amount of projected saving for salary and benefits in the unrestricted general fund is \$429,687. However, since custodians’ salary and benefits are charged to the District’s maintenance fund (resource code 8150), and the maintenance fund is being funded in excess of the required 3% contribution, a reduction in custodial FTE would decrease the contribution to the maintenance fund and, therefore, save the district general fund an additional amount of \$140,420. When this amount is added to the unrestricted general fund savings, the amount of net savings becomes \$570,107.

There is also the possibility of eliminating Child Nutrition staffing, which includes 1.375 FTE. If eliminated, this change would generate an additional savings to the Child Nutrition Fund (not the General Fund) of \$86,129.

Table 4

Budgeted Food Service Salary and Benefits	
Food Service Salaries	55,275
Food Service Benefits	30,854
Food Service Salaries and Benefits	86,129

In regard to material and supplies, the study also identifies savings of \$50,720 in unrestricted material and supplies and \$110,442 in restricted material and supplies. However, since these funds are generally

allocated on a per student basis, this amount would likely be reallocated to other school sites to which the students would transfer.

Table 5

Material and Supply Budget

Unrestricted	50,720
Redistricted	110,442
Total	161,162

Findings

In summary, the closure of Worthington is projected to generate an estimated savings of \$570,107 (in 2022-23 and perhaps more in the future years when adjusted for future value) in the unrestricted general fund. If restricted program savings are included, the savings increase to approximately \$867,267, with an additional \$86,129 potentially saved in the Child Nutrition Fund. It should be noted that these projected savings to different funds will be on ongoing basis. It is also important to note that any reductions of FTEs do not necessarily mean that the existing employees at the school will not have a position within the District following closure. Generally, reductions in workforce are determined by seniority with the District, and the normal annual attrition is likely to creates continuing employment opportunities.

DRAFT

The Capacity of the School to Accommodate Excess Students (Education Code Section 41329 (a)(1)(C))

District Capacity

In the fall of 2022, District staff updated the District’s student capacity numbers for all of the school campuses. Data used in this section of this report comes from District provided reports and documents, including the November 28, 2022 staff “School Facilities and Fiscal Implications” presentation to the School Closure and Consolidation Committee as well as a District loading standard spreadsheet.

A school’s student capacity is a mathematical calculation that utilizes two main variables: The number of classrooms the school has, and the number of students that can be housed in a specific classroom. The number of students that can be housed in a classroom is known as a loading standard.

Loading Standards

Loading standards differ by grade level, with the understanding that the upper grade classrooms accommodate a greater number of students as compared to the lower grade classrooms. State loading standards, broken out by grade level, are demonstrated in the table below:

Table 6
State Loading Standards

Grade Level	Students
TK-6	25.00
TK-8	25.44
7-8	27.00
9-12	27.00

Permanent and Portable Classrooms

Most school campuses in California have both permanent buildings as well as portable classrooms. This is true of most of the District’s campuses. Permanent classrooms are rooms that are “stick built” and typically constructed on site using traditional construction methods, including permanent foundations, and with exterior doors at grade level and do not require a ramp to enter each classroom. The permanent classrooms are normally parts of a larger structure that have several classrooms connected by a hallway or a walkway. These clusters of classrooms may also be connected to other buildings such as a library, cafeteria, multi-purpose room, etc.

A portable building is a modular building that is constructed off site and assembled on the campus. The entrance to the portable classroom is typically above the ground level and requires an Americans with Disabilities Act (ADA) compliant ramp to access the room. Since they can be moved to other locations, they are considered portable. Portable buildings are generally less desirable than permanent buildings and typically have a shorter usable life span as compared to a permanent building.

The District calculated the capacity of each campus for the categories of permanent capacity, portable capacity and total capacity. The number of permanent and portable classrooms are listed in the following table for each of the District’s schools:

Table 7

IUSD Schools with Number of Classrooms by Type

Grades	School	Permanent Classrooms	Portable Classrooms
TK-6	Highland	33	0
TK-6	Hudnall	21	0
TK-6	Kelso	10	16
TK-6	Worthington	11	23
P-8	Bennett-Kew	19	11
P-8	Beulah Payne	30	2
TK-8	Centinela	40	1
TK-8	Frank Parent	32	0
TK-8	La Tijera	34	0
TK-8	Oak Street	17	12
TK-8	Woodworth-Monroe	53	0
7-8	Crozier	22	0
9-12	Inglewood HS	65	8
9-12	Morningside	30	0
9-12	ICHS	0	8
9-12	CHIPS	18	0

Based on the State loading standards mentioned above, and the number of both permanent and portable classrooms presented in the table above, the following capacity for each school was calculated:

Table 8
IUSD Total Capacity by Site

Grades	School	Permanent Classrooms	Portable Classrooms	Total Capacity
TK-6	Highland	33	0	825
TK-6	Hudnall	21	0	525
TK-6	Kelso	10	16	650
TK-6	Worthington	11	23	850
P-8	Bennett-Kew	19	11	763
P-8	Beulah Payne	30	2	814
TK-8	Centinela	40	1	1,043
TK-8	Frank Parent	32	0	814
TK-8	La Tijera	34	0	865
TK-8	Oak Street	17	12	738
TK-8	Woodworth-Monroe	53	0	1,349
7-8	Crozier	22	0	594
9-12	Inglewood HS	65	8	1,971
9-12	Morningside	30	0	810
9-12	Inglewood Cont.	0	8	216
9-12	City Honors	18	0	486

Woodworth

The District has an open transfer policy. Therefore, students can attend any school in the District regardless of where they reside in the District. However, the vast majority of students that attend Worthington live close to the school. Worthington is less than a mile from Woodworth-Monroe. The scatter plot map below shows the population distribution of Worthington’s enrollment. Each blue dot indicates where a family that sends at least one child to Worthington currently resides.

Worthington TK-6 Scatter Plot Map

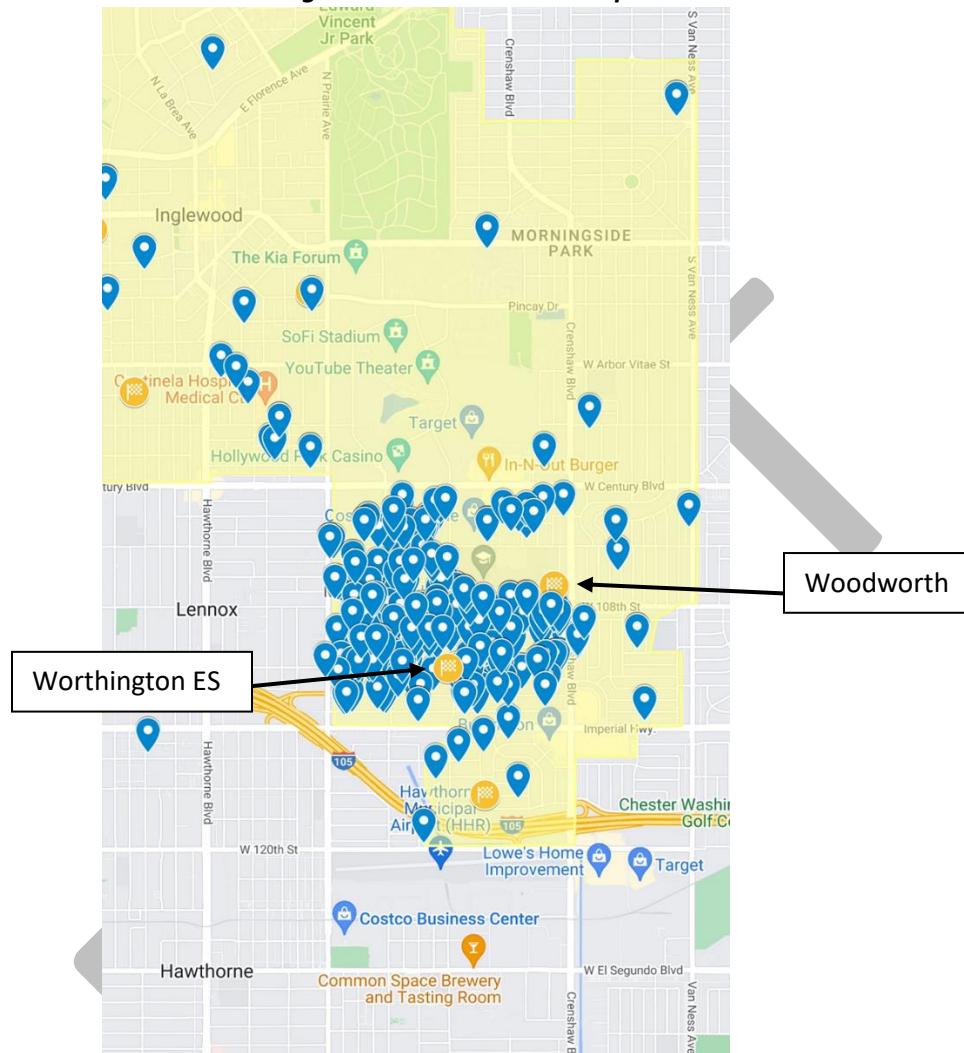


Figure 4: Worthington map scatter plot

Worthington is quite close to Woodworth-Monroe, and it is, therefore, logical to assume that Woodworth-Monroe will be the receiving school for most of the students currently attending Worthington.

According to the “School Facility and Fiscal Implication” presentation made to the School Closure and Consolidation Committee on November 28, 2022, the 2022-23 enrollment for Woodworth-Monroe is 636, and the school has a capacity (100% permanent classrooms) of 1,349. This means Woodworth-Monroe can accommodate an additional 713 students. On the same report, the enrollment of Worthington was reported to be 433. The combined enrollment of these two schools would be 1,069 and is projected to decline. Therefore, the Woodworth-Monroe campus could accommodate all of the students from Worthington if the school were to be closed and all students that choose to attend Woodworth-Monroe. In that case, Woodworth-Monroe will still have an unused capacity of 280 students. Should some families decide to send their children to other District schools, there is currently ample unused (excess) capacity in all other District schools to accommodate as demonstrated in the table below.

Table 9
IUSD Capacity by School

Grades	School	Capacity – Total	Enrollment	Excess Capacity
TK-6	Highland	825	429	396
TK-6	Hudnall	525	392	133
TK-6	Kelso	650	407	243
P-8	Bennett-Kew	763	446	317
P-8	Beulah Payne	814	620	194
TK-8	Centinela	1,043	555	488
TK-8	Frank Parent	814	362	452
TK-8	La Tijera	865	618	247
TK-8	Oak Street	738	503	235
TK-8	Woodworth- Monroe	1,349	636	713

Findings

If Worthington is closed, there is adequate excess capacity at one of the closest District schools for the entire student population, Woodworth-Monroe, to accommodate and house the entire current student body at Worthington. Similarly, Bennet-Kew ES can accommodate up to 317 students from Worthington. If some of the students from Worthington decide to attend other District schools, there is capacity available at all other schools to accommodate anywhere from 133 to 488 of these students.

Availability and Transferability of Special Programs Schools in Close Proximity of Worthington to Absorb Programs

The nearest elementary schools to Worthington include Bennet-Kew Elementary and Woodworth-Monroe.

Table 10
Schools near Worthington

School	Distance from Worthington	
Bennet-Kew Elementary	0.7 miles	
Woodworth-Monroe K-8 Academy	0.9 miles	

The campus at Bennett-Kew houses a library, computer lab, parent center and a science lab. In addition, it has a staff lounge, student cafeteria and patio, and six student restrooms. There are 20 classrooms within the main building and 10 bungalow classrooms. Although it is at a slightly closer distance from Worthington, these two schools are separated by a major roadway. Bennet-Kew is also a smaller campus than Woodworth-Monroe, and fewer families from Worthington live close to Bennett Kew. Therefore, Woodworth-Monroe is a better choice to receive students from Worthington should Worthington school close.

In 2018-19, Clyde Woodworth-Monroe Elementary was merged with Albert Monroe Middle School, to create Woodworth-Monroe TK-8 Academy, whereas the both former schools shared a contiguous campus. The campus at Woodworth-Monroe was renovated in the 2019-20 school year and new buildings were constructed that now house grades TK-5. The school is across a sports field from Morningside High School. The District's Child Development Center is also located adjacent to the campus.

Woodworth-Monroe is the logical choice for the relocation of students from Worthington because of the larger newly modernized and constructed school facilities and access to further space due to its proximity to two other District school campuses. For the purposes of this review, the special programs at Worthington will be reviewed for transfer to Woodworth- Monroe campus.

Comparison of Programs at Worthington and Woodworth-Monroe

Table 11
Comparison of Programs at Worthington and Woodworth-Monroe

Program	Worthington Elementary	Woodworth-Monroe K-8 Academy
Programs for English Learners*	X	X
Programs for Students in Special Education*	X	X
Character Education and Project Peace	X	X
Counseling	X	X
Student Safety Programs	X	X
Positive Behavior Interventions and Supports	X	X
Collaboration with Education Through Music Los Angeles	X	X
After School Enrichment and Safety	X	X
Gifted and Talented Education (GATE) Programming	X	X
1:1 Technology with I-ready and Achieve 3000	X	X
Science Technology Engineering Arts and Math (STEAM) Programming	X	X
Math, Engineering, Science, Achievement (MESA) Programming	X	X
Shared Campus with Child Development Center, Middle School, and High School		X
Engineering Factory		X
Intermural Sports		X
Project Lead the Way		X
Coding and Robotics Club		X
Mariner Makeover		X
Advancement via Individual Determination (AVID) College Preparatory Program		X
Bobcat Marching Band for Grades 4 to 6	X	
Various Clubs including Algebra, Choir, and Art Club	X	

**These programs will be broken down in separate sections to be examined.*

Special Programs Provided at Both School Campuses

Programs for English Learners

Further examination of this set of programs is below.

Both Worthington and Woodworth-Monroe achieved full compliance with all state and federal instructional program regulations for English Learners.

Programs for Students in Special Education

Further examination of this set of programs is below.

Both Worthington and Woodworth-Monroe provided programs in compliance with all state and federal instructional program regulations for students in Special Education programs.

Character Education and Project Peace

All District schools teach character building. Project Peace programs address character building and values, conflict resolution, alternatives to violence, anger management, substance abuse prevention and intervention, mental health and counseling services, family mediation, student/police dialogues, and student-led problem solving. Both schools benefit from participation in the California Community Schools Partnership in collaboration with the Children's Institute. The District is currently applying with the Children's Institute for grant funding to ensure that these services continue if Worthington is closed.

Counseling

Grief counseling and other counseling services are available as needed throughout the District as a part of the Project Peace program. Counseling services are provided in partnership with outside agencies including Didi Hirsch and Centinela Youth Services Counseling and Referral Services (CARS).

Student Safety

School Safety Plans are developed to ensure a safe and positive learning environment for students. The District was awarded a grant from the U.S. Department of Education to upgrade radio communication, place emergency supply bins at all schools, and train staff. The District also launched Connect-ED, a telephone service through which parents and staff can be reached at a moment's notice.

Positive Behavior Interventions and Supports (PBIS)

PBIS uses a proactive approach to teach and model appropriate behaviors and reinforce constructive expectations through affirmations and rewards. This prevention approach has been implemented as a method to improve disciplinary outcomes and foster positive school climate.

Education through Music

The Worthington and Woodworth-Monroe music programs are supported by the Education Through-Music Los Angeles (ETM-LA) program. This program gives students access to a high-quality music education.

After School Education and Safety (ASES Program)

Both campuses offer after school programs that include one hour of homework assistance, one hour of academic tutoring, and one hour of enrichment (activities vary at each school site) daily.

Gifted and Talented Education (GATE) Program

The Gifted and Talented Education (GATE) program provides unique educational opportunities for students who have been identified as gifted and talented.

1:1 Technology (Including I-ready and Achieve 3000 programs)

Every student has been supplied with their own mobile computing device (tablet, laptop, computer, netbook, Chromebook, etc.) to use for learning. This includes access to iReady, which is an online personalized program for assessment and instruction in English Language Arts (ELA) and Math. Also included is access to Achieve 3000, which offers differentiated learning content and accelerated learning in ELA and Math through an online platform.

Science Technology Engineering Arts and Math (STEAM) Programming

STEAM is an educational approach that incorporates hands-on, project-based learning strategies with a concentration on lessons in science, technology, engineering, arts and math. STEAM programs can include any of the visual or performing arts, such as: dance, design, painting, photography and writing.

Math Engineering Science Achievement (MESA) Programming

The MESA Schools program serves educationally disadvantaged students to prepare them for a career in math, science, engineering, computer science, and technology.

[Woodworth-Monroe TK-8 Academy Special Programs](#)

Shared Campus with Child Development Center, Middle School, and High School

Woodworth-Monroe has a child development center on the same campus, along with a middle and high school, creating opportunities for continuity from PreK through graduation.

Engineering Factory

This includes programming that provides student access to hands-on, project-based learning opportunities, participation in engineering competitions, academic support, professional development for educators, exposure and linkages to the engineering industry, mentoring, strategic alliances and partnerships with engineering-related programs. The focus is to increase the number of students from underrepresented populations (e.g., female students and minorities) who pursue higher education and careers in Engineering and STEM.

Intermural Sports

Soccer, football, basketball for boys and girls, and golf are offered on the school campus.

Project Lead the Way

This program provides access to real-world, applied learning experiences in computer science, engineering, and biomedical.

Coding and Robotics

Students learn to build robots by studying electronics and mechanics. Students also learn to write the code that provides the set of instructions necessary for a robot to read and execute commands.

Mariner Makeover Crew

The Mariner Makeover Crew is comprised of parents, staff, students and community members that takes on projects to beautify the school campus and create a safe and welcoming learning environment.

Advancement via Individual Determination (AVID) College Preparatory Program

AVID teaches skills such as note-taking, test preparation, study techniques, reading, and writing to help students prepare for a successful college career.

Worthington Elementary Special Programs

Bobcat Marching Band for Grades 4 to 6

Students have an opportunity to participate in the marching band, performing for school functions and at the select community engagement opportunities.

Various Clubs including Algebra, Choir, and Art Club

These clubs offer students unique opportunities to explore their different areas of interest.

Programs for English Learners

While both Worthington and Woodworth-Monroe achieved full compliance with all state and federal instructional program regulations for English Learners, a specialty program is offered at Worthington. **This program is a Spanish dual immersion program**, offering students who are English Learners and those who are native English speakers the opportunity to learn academic content in both English and Spanish. The program at Worthington offers two-way Immersion, which is a type of dual language education that integrates native English speakers and native speakers of another language for academic content instruction through both English and the partner language. **This program can be easily moved to Woodworth-Monroe TK-8 Academy and be expanded through the 8th grade on this campus.**

Programs for Students in Special Education

While both campuses offer programs for students in Special Education, they offer programs of varying nature depending on the individual student's needs. According to the Southwest SELPA Annual Budget Plan for SY 21-22, the following Special Education services were provided.

Table 12
Comparison of Special Education Programs at Worthington and Woodworth-Monroe

Programs	Worthington Elementary	Woodworth-Monroe K-8 Academy
330 Specialized Academic Instruction	X	X
340 Intensive Individualized Instruction	X	X
415 Speech and Language Impairment	X	X
425 Alternative Physical Education	X	X
450 Occupational Therapy	X	X
460 Physical Therapy	X	X
510 Individual Counseling	X	X
515 Counseling and Guidance	X	X
535 Behavior Interventions and Supports	X	X
435 Health and Nursing Specialized Physical Health Care		X
725 Specialized Vision Services (LI)		X
820 College Awareness		X
840 Career Awareness		X

Other Elementary schools in the District offered additional services to provide a full continuum of options across the District. The additional services included:

- Code 900 Services in a Home or Hospital Setting,
- Student or Parent Mental Health Services: Code 520 Parent Counseling, and Code 530 Psychological Services,
- Low Incidence Services for Students Who are Deaf or Hard of Hearing: Code 710 Specialized Deaf and Hard of Hearing Services, Code 720 Audiological services,
- And additional Health and Nursing Services: Code 436 Health and Nursing, Other.

At Woodworth-Monroe, approximately 16% of its population are students with disabilities. Worthington reports that approximately 12% of its population are students with disabilities.

Both campuses offer both the Resource Specialist programs and the Special Day Class programs to students with disabilities. Resource Specialist programs provide students with the opportunity to learn alongside their peers in the general education classroom for more than 50% of their school day, with additional support by a Special Education teacher or paraprofessional for certain periods of the day.

Special Day Class programs offer students a separate classroom setting in which they learn from a Special Education teacher for more than 50% of the day.

In addition, each school site provides a school psychologist (.75 FTE) for students for the purposes of assessing student needs and eligibility for services.

Summary

Many special programs offered in the District are available at both Worthington and Woodworth-Monroe school sites.

Woodworth-Monroe has the benefit of having much more space, along with a child development center, a middle and adjacent high school on the same campus, creating opportunities for continuity from pre-K through graduation. It also offers several additional programs in engineering, sports, computer science, biomedical, coding and robotics. It has a community engagement aspect with its Mariner Makeover crew and offers college preparatory skills training.

Worthington offers a marching band and various clubs to its students, so they may explore additional areas of interest. The marching band and the associated clubs can transfer with the students to their new campus. Therefore, a loss of these programs is not envisioned.

Students are provided appropriate English Learner programs at both school sites. However, Worthington provides a dual language immersion program in Spanish, which is not offered at Woodworth-Monroe. A further discussion and analysis of this program is provided below.

Both sites offer similar programs for students with disabilities. However, Woodworth-Monroe reports a higher percentage of their population as having specialized needs. The school also provides a more extensive range of services to their students with disabilities.

Analysis

Dual Language Spanish Immersion Program

The dual language immersion program is a unique program at Worthington that would need to be transferred to Woodworth-Monroe. Major considerations involved in the transfer of this program would include:

1. Staffing
2. Facilities
3. Textbooks and curricular materials
4. Cost.

In addition, it is important to consider a history of student outcomes for English Learners at Woodworth-Monroe in comparison to that same population at Worthington.

Staffing

Dual language immersion programs require specialized teaching staff to run, as the staff need to be bilingual in both English and Spanish and credentialed in the specific subject area they are teaching. The

staff teaching in the dual language programs at Worthington may be transferred to Woodworth-Monroe to continue teaching in the program.

Facilities

The facilities at Woodworth-Monroe could adequately house the dual language program without any known issues. If needed, additional space is available to accommodate the program or allow program expansion.

Textbooks and Curricular Materials

According to Worthington and Woodworth-Monroe's respective School Accountability Report Cards (SARC), both schools have the same textbooks and curricular materials for English Language Arts and Math. In addition, they are utilizing the same English Language development materials as well. No additional materials would need to be adopted nor would staff need to be trained in their implementation.

Student Outcomes

Below is a comparison of the achievement rates on the California State tests.

Woodworth-Monroe reports that 33.1% of its population are English Learners. According to the 2021-22 school year State test results, 17.65% of the student population at Woodworth-Monroe scored at or above their grade level. For English Learners, 7.24% of the population scored at or above their grade level.

Worthington reports that 40.3% of its population are English Learners. According to the 2021-22 school year State test results, 19.12% of the student population at Worthington scored at or above their grade level. For English Learners, 8.54% of the population scored at or above their grade level.

DRAFT

SARC		Woodworth-Monroe TK-8 Academy			
CAASPP Test Results by Student Group: English Language Arts (grades 3-8)					
Percentage of Students Meeting or Exceeding State Standards					2021-22 School Year
English Language Arts					
Group	Total Enrollment	Number Tested	Percentage Tested	Percentage Not Tested	Percentage Met or Exceeded
All students	493	461	93.51%	6.49%	17.65%
English Learners	160	152	95.00%	5.00%	7.24%

SARC		Worthington TK-6 Elementary School			
CAASPP Test Results by Student Group: Mathematics (grades 3-6)					
Percentage of Students Meeting or Exceeding State Standards					2021-22 School Year
Mathematics					
Group	Total Enrollment	Number Tested	Percentage Tested	Percentage Not Tested	Percentage Met or Exceeded
All students	209	204	97.61%	2.39%	19.12%
English Learners	84	82	97.62%	2.38%	8.54%

Figure 5: Comparison of Woodworth and Worthington Schools on achievement rates in the California State tests

The difference in these percentages do not represent a significant discrepancy in student outcomes. Both schools are serving English Learners in an equivalent manner.

Other Programs

Worthington Elementary offers a marching band and various clubs to its students. These programs can easily be transferred to Woodworth-Monroe without significant impact to the program offerings.

Findings

Although Worthington offers a wide variety of programs to its students, if the school were to be closed, the few programs that are not already offered at Woodworth-Monroe could easily be transferred to Woodworth-Monroe without significant difficulty or an adverse impact to the program offerings or student outcomes. There may also be opportunities for Worthington students to participate in additional programs that are being offered on the Woodworth-Monroe campus that are not currently offered at Worthington.

Environmental Factors (Education Code Section 41329 (a)(1)(E))

The City of Inglewood

The City of Inglewood is located in the southwestern part of Los Angeles County in California. According to the US Census Bureau, the City has a total area of 9.1 square miles and its downtown is located only 4.15 miles from the Los Angeles international airport. Based on the 2020 census, the area has a population density of 11,885 residents per square mile, which is one of the higher population densities in Los Angeles County. Inglewood is home to both the Kia Forum and the SoFi Stadium. Given the population density of the area, coupled with the major sporting venues contained within the City's boundaries as well as close proximity to Los Angeles International Airport, the area is prone to a large amount of automobile traffic in addition to the airplane traffic and associated noise that comes with being located adjacent to one of the world's largest airports.

Worthington and Woodworth-Monroe Elementary Schools

Based on the proximity of Worthington to Woodworth-Monroe, if Worthington is closed most students will be assigned and likely attend Woodworth-Monroe. Therefore, it is assumed that the Woodworth-Monroe Campus would be the campus most impacted by the closure of Worthington.

Traffic

Increased school enrollment can increase traffic at the school site, since many parents opt to drive their children to school. School related traffic can be offset in several ways including encouraging families to walk children to school, staggering start times for different grade levels, and encouraging the use of school busses when that is an available option.

Although the traffic around Woodworth-Monroe TK-8 Academy is likely to increase with the closure of Worthington, the number of students, that will be attending Woodworth-Monroe, will actually be less than the number of students this campus housed ten years ago. During the 2012-13 school year, when the campus hosted two separate schools, according to the California Department of Education, Monroe Middle School had an enrollment of 610 students and Woodworth-Monroe of 491, for a total enrollment (at the same site) of 1,101. Based on the 2022-23 CALPADS enrollment report, the current combined enrollment of Worthington and Woodworth-Monroe is 1,069. Since the District's enrollment is declining, and since not every student currently enrolled in Worthington will likely attend Woodworth-Monroe next year, the 2023-24 school year enrollment will likely be less than 1,101. Therefore, the actual traffic at Woodworth-Monroe may be less than what the area experienced 10 years ago.

Proximately to Freeway Access

The City of Inglewood is nestled between several freeways and major roadways including Interstate, 405, Interstate 105, Imperial Highway, East and West Florence Avenue, South Van Ness Avenue, and Century Boulevard, to name a few.

The Woodworth-Monroe campus is not directly adjacent to any major Interstate, and since it is less than a mile from Worthington, there is no significant difference to freeway access. The distance between Woodworth-Monroe and Worthington is less than one mile.

Scatter Plot Map of Worthington Elementary School

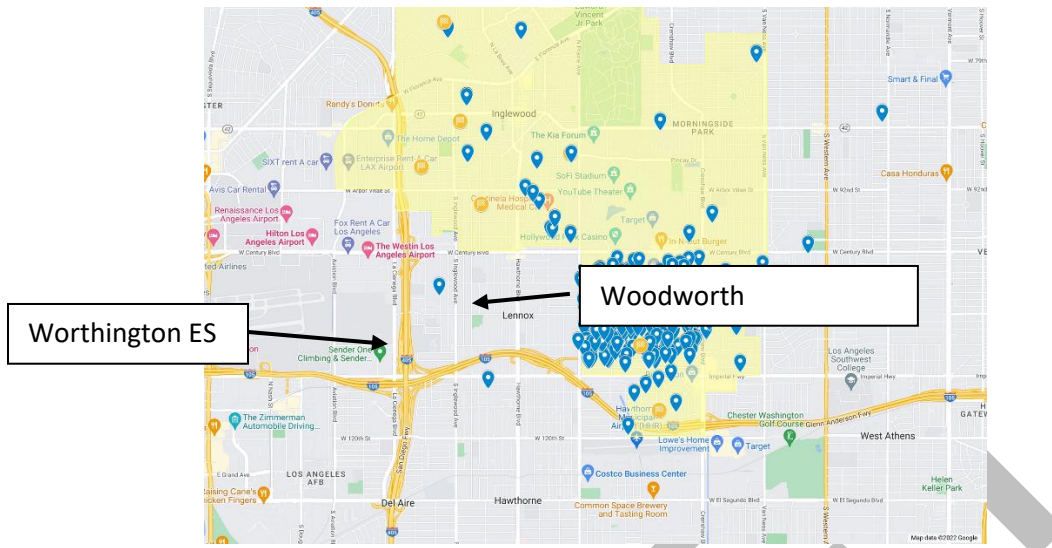


Figure 6: Map Scatter Plot of Worthington Elementary School

Other Environmental Factors

Due to the close proximity to other school sites, and the fact that Woodward-Monroe site has operated schools for many years, other environmental factors that could be normally considered are not likely to be relevant to this merger. There is no evidence that items such as railroad tracks, flood zones, above ground fuel storage tanks, areas prone to landslides, hazardous waste sites, are present near or at either campus.

All schools in the District are in close proximity to Los Angeles International Airport and all schools in the District have to deal with the challenge this presents to some degree, with or without the consolidation of schools currently under consideration.

Findings

Although the unification of Worthington and Woodward-Monroe will bring more traffic to Woodward-Monroe, the traffic should not be any greater than it was 10 years ago when the two separate schools operating on the same campus had a combined enrollment of more students than anticipated to be at the site after this unification. District staff may be able to offset the impact of traffic by employing several strategies, staggering start times for different grade levels, and encouraging the use of school busses and walking to school when those are available options. Also, many families who currently send their students to Worthington, happen to live within a walking distance from the Woodward-Monroe, so the impact on traffic will potentially be less.

There are no other known environmental factors that would significantly cause an impact by the consolidation of schools that is under consideration.

Balance of Pupil Demographics (Education Code Section 41329 (a)(1)(E))

Demographic information included in this section of the report is taken from the 2021-22 Student Accountability Report Card (SARC). The SARC is a mandated document and is publicly available. It contains several types of information about each school in the District and includes demographic information that is based on October census data.

Worthington

Enrollment By Student Group

The SARC indicates that the school enrollment for the 2021-22 school year was 370 students. The percentage of Worthington enrollment, by student group, is displayed in the table below:

Table 13

Worthington Percentage of Students by Student Group

Group	Percentage	Number
Female	46.50%	172
Male	53.50%	198
Non-Binary	0.00%	0
English Learners	40.30%	149
Foster Youth	0.00%	0
Homeless	0.00%	0
Migrant	0.00%	0
Socioeconomically Disadvantaged	91.60%	339
Students with Disabilities	11.90%	44

Enrollment by Ethnicity

The largest ethnic group in Worthington is Hispanic or Latino. This ethnic group comprises 89.9% of the school, while the second largest group -- African American or Black -- comprises 6%. All other ethnic groups are approximately 1% or less of the enrollment individually as demonstrated on the pie chart below:

Worthington Ethnic Demographics

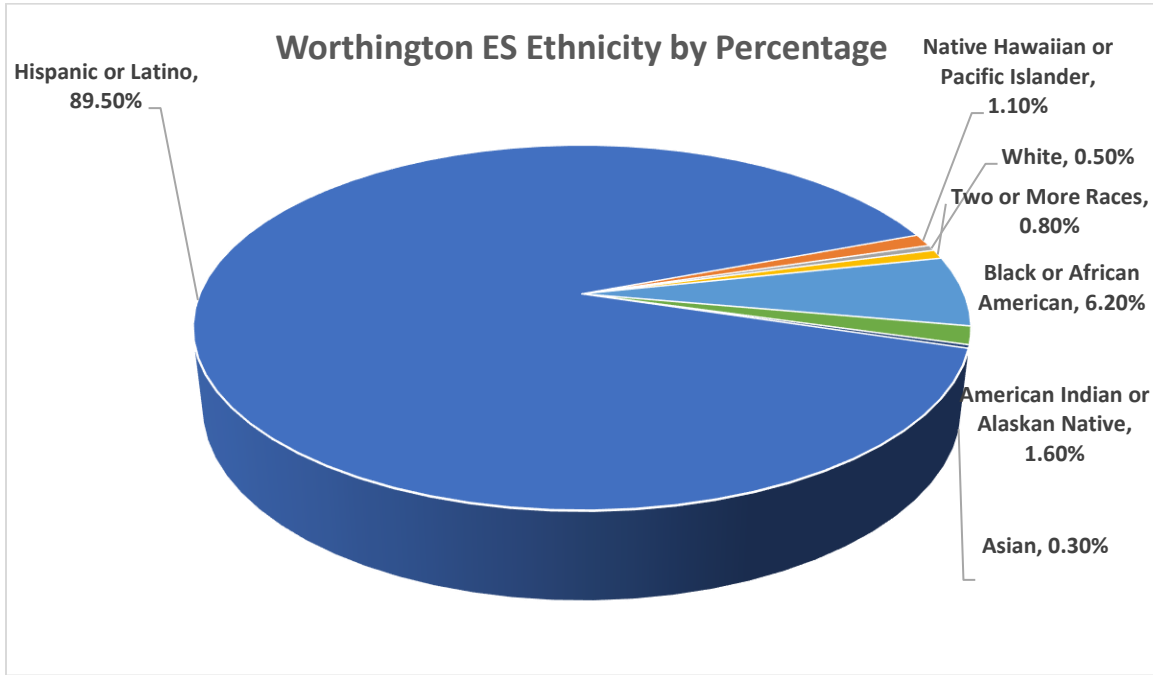


Figure 7: The ethnic demographics of the enrollments in Worthington School

Woodworth-Monroe

Enrollment By Student Group

The SARC indicates that the school enrollment on census day was 661 students. The percentage of enrollment by student group is displayed in the table below:

Table 14

Woodworth-Monroe Percentage of Students by Student Group

Group	Percentage	Number
Female	45.50%	301
Male	54.50%	360
Non-Binary	0.00%	0
English Learners	33.10%	219
Foster Youth	1.40%	0
Homeless	1.20%	0
Migrant	0.00%	0
Socioeconomically Disadvantaged	84.60%	559
Students with Disabilities	16.00%	106

Enrollment by Ethnicity

The largest ethnic group at Woodworth-Monroe is also Hispanic or Latino. This ethnic group comprises 61.10% of the school, while the second largest group is African American or Black, which comprises 33.00% of the school. All other ethnic groups individually are 2% or less of the enrollment as demonstrated on the pie chart below:

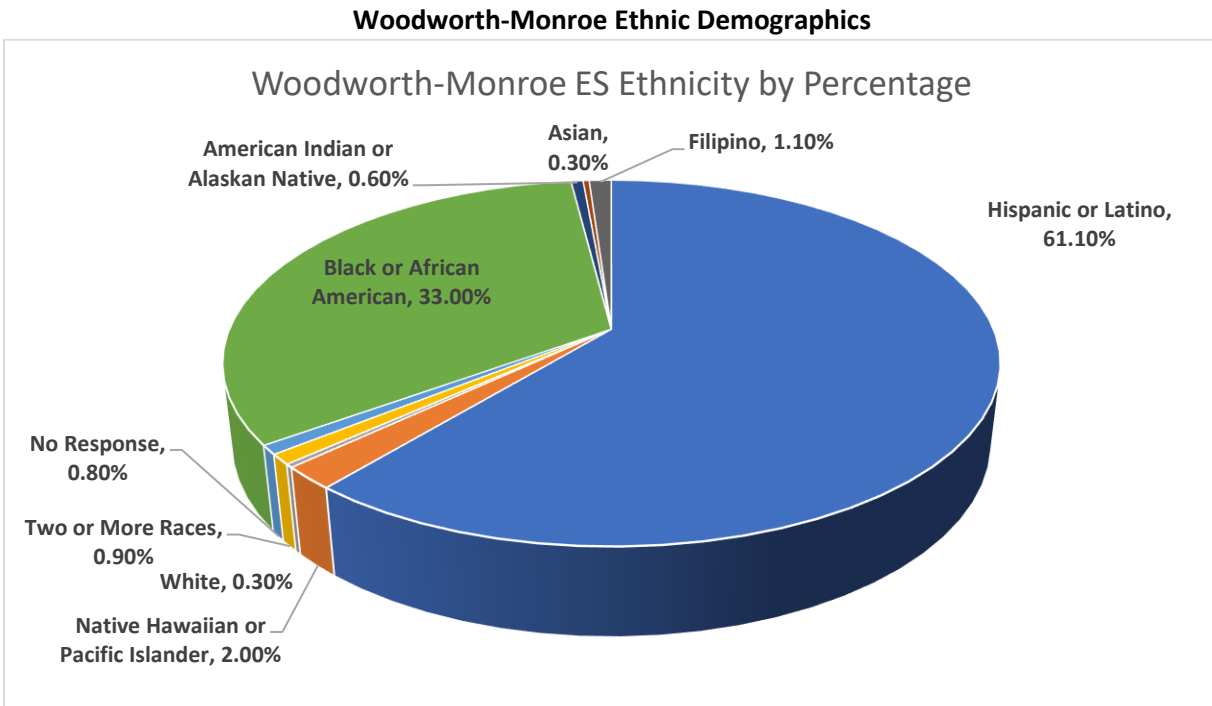


Figure 8: The ethnic demographics of the enrollments in Woodworth-Monroe School

Worthington and Woodworth-Monroe Combined

Although it is not known how many students will transfer to Woodworth-Monroe if Worthington is closed, since Woodworth-Monroe is the closest school to Worthington, it seems highly likely that most families would choose to send their students to Woodworth-Monroe. Thus, looking at the projected student body composition post-consolidation (assuming all students will opt to attend Woodworth-Monroe) would be the most reliable way to predict the impact on the demographics of the students currently at Worthington.

Worthington and Woodworth-Monroe Unification

Enrollment By Student Group

The 202-22 SARC indicates that the combined school enrollment would be 1,031 if the school were to be consolidated during that year. The percentage of enrollment by student group for both schools as well as the combined enrollment is displayed in the table below:

Table 15
Combined Percentage of Students by Student Group

Group	<u>Worthington</u>		<u>Woodworth-Monroe</u>		<u>Combined</u>	
	Percentage	Number	Percent	Number	Percent	Number
Female	46.50%	172	45.50%	301	45.86%	473
Male	53.50%	198	54.50%	360	54.14%	558
Non-Binary	0.00%	0	0.00%	0	0.00%	0
English Learners	40.30%	149	33.10%	219	35.68%	368
Foster Youth	0.00%	0	1.40%	0	0.00%	0
Homeless	0.00%	0	1.20%	0	0.00%	0
Migrant	0.00%	0	0.00%	0	0.00%	0
Socioeconomically Disadvantaged	91.60%	339	84.60%	559	87.11%	898
Students with Disabilities	11.90%	44	16.00%	106	14.53%	150

The unification of these two schools would cause the percentage of English Learners to decrease, in comparison to the current composition of Worthington, from 40.30% to 35.68% and the percentage of economically disadvantaged students would decrease from 91.60% to 87.11%. The table above also demonstrates that the changes to these demographic student groups caused by a consolidation are all relatively small, with all of the changes falling within 5%.

Enrollment by Ethnicity

The potential unification of Worthington and Woodworth-Monroe will retain the majority Hispanic or Latino percentages, albeit at a somewhat lower percentage, and improve the diversity compared to Worthington prior to the consolidation.

Table 16

Combined Percentage of Students by Ethnic Group

Ethnic Group	Worthington	Woodworth-Monroe	Total	Percent
Hispanic or Latino	331	404	735	71.29%
Native Hawaiian or Pacific Islander	4	13	17	1.68%
White	2	2	4	0.37%
Two or More Races	3	6	9	0.86%
No Response	0	5	5	0.45%
Black or African American	23	218	241	23.38%
American Indian or Alaskan Native	6	4	10	0.96%
Asian	1	2	3	0.30%
Filipino	0	7	7	0.71%
Totals	370	661	1031	100.00%

The above tables shows that the Latino-Hispanic percentage of the consolidated schools would be 71.29%, which is a decrease from the 89.50% that Worthington currently has. All other ethnic groups would experience a small change from this consolidation, except for the Black or African-American ethnic group, which would increase significantly from 6.2% to 23.38%.

Findings

The proposed closure of Worthington and consolidation with Woodworth-Monroe would cause the ethnic percentages to shift to some degree. The new unified campus would retain a majority Hispanic or Latino majority, but at a lesser percentage than Worthington now has. The closure and subsequent unification would also enhance diversity, most notably with an increase in the African American population as compared to the current ethnic percentages at Worthington.

Transportation Needs of Pupils (Education Code Section 41329 (a)(1)(G))

School Transportation Requirements

Although transportation for Special Education is provided when required by the Individualized Education Program (IEP) for students with special needs, there is no requirement for the school districts to provide transportation to general education students. School boards typically describe parameters in which they will provide transportation as part of a board policy. District's *Board Policy 3541: "Transportation Routes and Services"* states:

"The Superintendent or designee shall design transportation routes and stops to promote the safety of students and maximum efficiency in the use of buses."

This policy allows the District flexibility in deciding what, if any, transportation routes the District will offer. There are no minimum requirements that the District needs to follow to provide transportation, as deciding what routes the District will provide is within the discretion of the superintendent or designee. The District has not traditionally provided transportation services for general education students, but does provide services for Special Education, when required by their IEP.

Special Education

As stated in the previous paragraph, Special Education transportation is mandated and provided to students as long as it is included in the student's Individualized Education Program (IEP). An IEP is the document that specifies what support and services a student will receive from the school district in order for the student to meet their educational goals under the rules of free and appropriate education as outlined in the Individuals with Disabilities Act (IDEA). The IEP may obligate a district to provide a Special Education student transportation to and from school when the IEP team determines there is a need for this service.

Many Special Education programs are regionalized at one school site to group together learners with similar needs in order to provide the most effective and efficient service to those students. Since these programs are regionalized, there is generally a need to provide transportation to some of the students since not all of the students live within walking distance to the school where the specialized program and services are provided. There are also cases where students are medically fragile or have an orthopedic impairment, and those students require transportation to and from their school site regardless of the distance involved.

If Worthington is closed, the Special Education programs would likely be moved to Woodworth-Monroe, and any Special Education student requiring transportation would continue to receive this service. Therefore, transportation would continue to be available for the students and the only change would be the location of the school. Since the two schools (Worthington and Woodworth-Monroe) are less than a mile apart, the travel time students will experience would likely be close to the current travel time.

Home to School Transportation

There are several factors that mitigate the need for transportation services for students attending Worthington if the school is closed. Woodworth-Monroe and Worthington are in close proximity to each other, less than a mile apart as demonstrated on the map below.

Walking Distances

The two schools are in such close proximity that there will not be a significant change in the walking distances. The distance from the furthest southwest location (which is technically in Bennett Kew's attendance area) is an approximate 1.5-mile walk to Woodworth-Monroe (.6 of a mile to Worthington) and the furthest due west location is a one-mile walk (.9 of a mile to Worthington). This second location is already in Woodworth-Monroe's School Boundary. There are a number of families living in that area who currently attend Worthington.

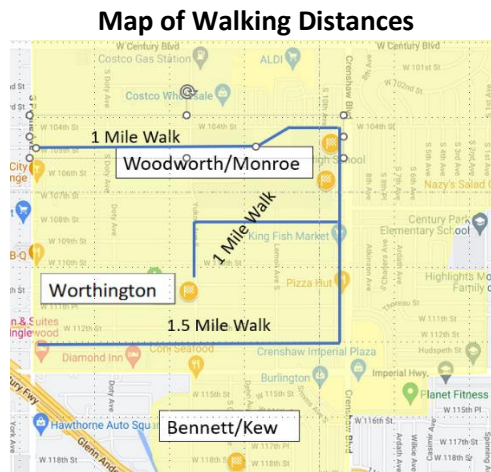


Figure 11: Walking Distances to Woodworth-Monroe are Reasonable

Also, as can be seen on the scatter plot map, there are several families whose children currently attend Worthington while the families reside closer to Woodworth-Monroe than Worthington. In other words, although the distance to school for some students will increase, many others will experience a decrease, especially those living near West Century Boulevard.

Major Roadways

There are several major roadways that travel through the City of Inglewood. The major roadways that border the area of Woodworth-Monroe are South Prairie Avenue to the west, West Century Boulevard to the North, Crenshaw Boulevard to the East and Imperial Highway to the South. West of South Prairie Avenue is outside District's border, and no resident students live in that area.

Map of Major Roadways in Woodworth's Attendance Boundaries

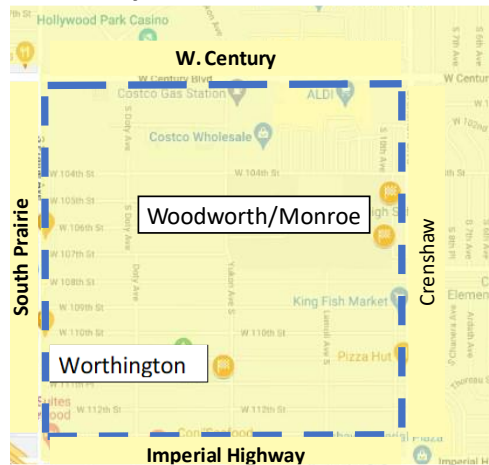


Figure 12: Map showing major roadways leading to Woodworth's Attendance boundaries

There are a few Worthington students who live North of West Century, and a handful who live east of Crenshaw. However, since the schools are both south of West Century and west of Crenshaw, the consolidation will not cause any need for student to cross these two major roads unless the students are already crossing those roads to attend their current school. A few students currently attending Worthington who live south of the Imperial Highway are also currently crossing that roadway, although they do have the option to attend Bennet Kew ES if they desire not to cross this street.

According to District staff, the City of Inglewood provides crossing guards at several locations, which makes crossing some of the busier intersections safer.

Inter- and Intra-District Transfer Students Transportation

An inter-district transfer student is a student in a District school whose family resides outside the District's boundary, and an intra-district student is one whose family lives within the District boundary but not within the school's boundary. Districts generally do not provide transportation for students who do not live within the district boundaries. Districts also typically do not provide transportation for students who live inside the district boundaries but choose to attend a school other than their home school. Typically, students who reside outside the school or district boundaries are driven to school by their parents or guardian. The closure of Worthington will not have any effect on District-provided transportation since that is not offered to the general education students. Since the schools are in a close proximity, the change will also not have any significant impact on parents who drive students to school. Parents of intra-district students can also reduce their commute to school by choosing a District school that is closer to their residence.

Field Trips

The closure of Worthington would have no effect on the District's ability to offer transportation for field trips or other transportation needs.

Findings

The distance between Worthington and Woodworth-Monroe is less than one mile, and the vast majority of Worthington students live within a 1.5-mile radius of Woodworth-Monroe. If Worthington is closed, a small number of students will realize an increase in their walking distance to their new school of up to a mile. Many others will have a smaller increase or decrease in walking distances to school. There will not be a substantial change to students who live outside the school's borders, as they are typically driven to school by a parent or guardian, and they may also choose to attend a District school closer to where they reside.

DRAFT

Aesthetics and the Opportunity for Blight and Negative Impact (Education Code Section 41329 (a)(1)(H))

Asset Management

Unused closed school sites can quickly become a district liability and a nuisance, and can be a drain on the district's resources as buildings still require upkeep, maintenance, security, oversight and insurance. They can also become targets for vandalism, crime, and other unwanted activities. When a school is closed, the district may form an Asset Management Advisory Committee pursuant to California Education Code 17388, et seq., to provide recommendations regarding use and/or disposition options for the site. This process is meant to ensure that there is appropriate input from the community and that the district is advised on making sage decisions regarding the best use for the property.

District Advisory Committee

A District Asset Management Advisory Committee is required to have between seven and eleven members, all of whom have specific designated roles. Due to the number of members required on this committee, it is commonly referred to as a 7-11 committee.

Per Education Code section 17389, the members of this committee must represent the following community groups:

- Ethnic, age group, and socioeconomic composition of the district
- Business community (i.e., store owners, managers, or supervisors)
- Landowners or renters (preference to be given to representatives of neighborhood associations)
- Teachers
- Administrators
- Parents of students
- Persons with expertise in environmental impact, legal contracts, building codes, and land use planning including, but not limited to, knowledge of the zoning and other land use restrictions of the cities or cities and counties in which surplus space and real property is located

Per Education Code section 17390, committee's role is as follows:

- Review the projected school enrollment, and other data as provided by the district, to determine the amount of surplus space and real property;
- Establish a priority list of use of surplus space and real property that will be acceptable to the community;
- Cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings of community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for childcare development purposes
- Make a final determination of limits of tolerance of use of space and real property;
- Forward to the District County Administrator a report recommending uses of surplus space and real property

- The 7-11 Committee’s recommendation is advisory only and need not be implemented by the Board.

Inglewood Unified School District Asset Management Committee

The District’s, Advisory Committee has already been formed to provide recommendations regarding the use or disposition of certain District owned properties. The County Administrator adopted a resolution authorizing the formation of the Asset Management Committee, on June 2, 2022. The District then prepared and posted applications forms for the public to apply. The County Administrator appointed members on October 5, 2022 and the Committee has met to review disposition options.

If Worthington is closed, the Committee will likely be tasked with reviewing use or disposition options relating to it and make recommendations to the County Administrator. These recommendations can include sale or lease of the property, or other use options the Committee includes in its recommendation report.

The recommendation report will then be presented to the County Administrator, who will consider the Committee’s recommendations in making a decision about use or disposition options for the property.

The committee’s 2022-23 year’s meeting schedule is shown below:

- Wednesday, October 19, 2022
- Tuesday, November 15, 2022
- Tuesday, December 13, 2022 - Cancelled
- Tuesday, January 17, 2023 - Cancelled
- Tuesday, February 7, 2023
- Future meetings TBD

Post Committee Recommendation Disposition Process

Once a recommendation is made to the County Administrator, there are several other steps that need to occur before the property is sold or leased. These steps include:

Selling or Leasing with Option to Purchase:

- Surplus: Resolution needed to officially declare the property surplus
- Public Offerings: The property must be offered to certain public entities and other public agencies are notified
- Formal Bidding: Process to bid the property out for the highest price may begin

Leasing (with no Option to Purchase)

Notices as required by the Naylor Act

May lease to highest responsible bidder

The lease or sale of surplus property has many requirements that may be found in both Education Code and Government code. The District has retained legal counsel to properly navigate this process.

Findings

Although preventing blight and resulting negative impact on the community requires the District to be vigilant, the District has an inclusive process in place and has obtained appropriate counsel that will expedite the steps needed to repurpose the Worthington campus and avoid blight and other negative impact on the community should the campus be closed.

DRAFT

Impact on Feeder and Other School Attendance (Education Code Section 41329 (a)(1)(I))

Feeder School Attendance

A “feeder school” is a school from which many or most of the students of a school progress to a particular higher grade level school. In other words, a feeder school is typically a junior school whose pupils feed into a specific secondary school. Worthington serves grades TK-6. There are technically no “feeder schools” to an elementary school, since transitional kindergarten (TK) is now the earliest grade and those students “feed” into kindergarten but TK is typically in the same school. Therefore, the closure of Worthington will not impact any feeder school.

Since Worthington itself does not serve students in Grades 7 or 8, the school sends students to other schools that serve these grade levels, the closest of which is Woodworth-Monroe. As noted below, the unification of Worthington and Woodworth-Monroe may help retain more District students into District middle school grades. Regarding high schools, Morningside High School is the closest high school to Worthington, however since Worthington is a K-6 campus, none of its students go directly to any high school. When students do attend high school, the District has an open enrollment policy, and therefore students could attend any of the three district high schools or choose a school outside of the District. Due to the close proximity of Worthington and Woodworth-Monroe, there is no evidence to suggest that the closure of Worthington would affect the attendance of the District’s secondary school students.

Impact on Other Schools

There is a possibility that the closure of Worthington will help District keep more of their enrollment. Over last several years, Worthington has lost a large number of 5th graders as they graduate from 5th to 6th grade. This is presumably because they are choosing to attend a middle school, since Worthington does not serve 7th and 8th grades and some middle school start in 6th grade.

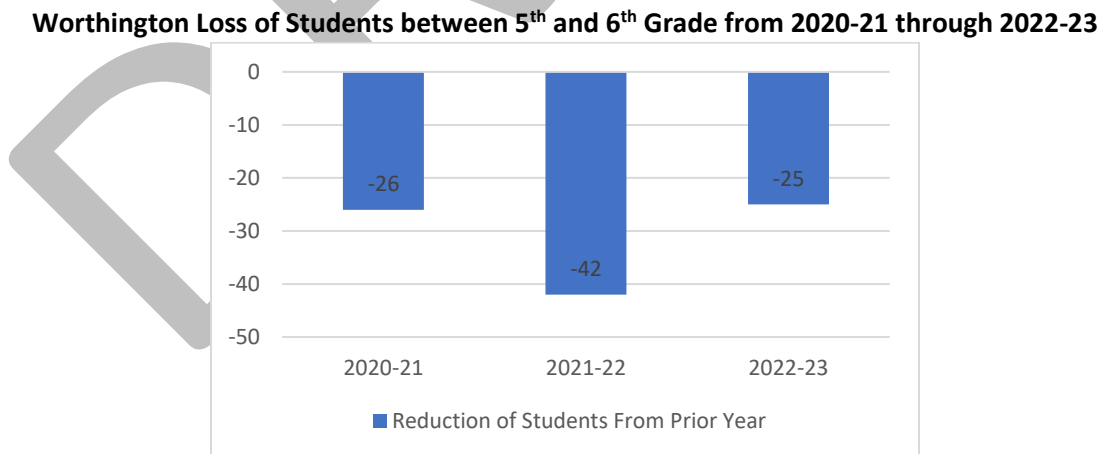


Figure 13: Loss of students between Grade 5th and 6th from 2020-21 to 2022-23 in Worthington

Comparatively, Woodworth-Monroe increases enrollment between 5th and 6th grade.

Woodworth-Monroe, gain of Students between Grade 5 and 6 from 2020-21 through 2022-23

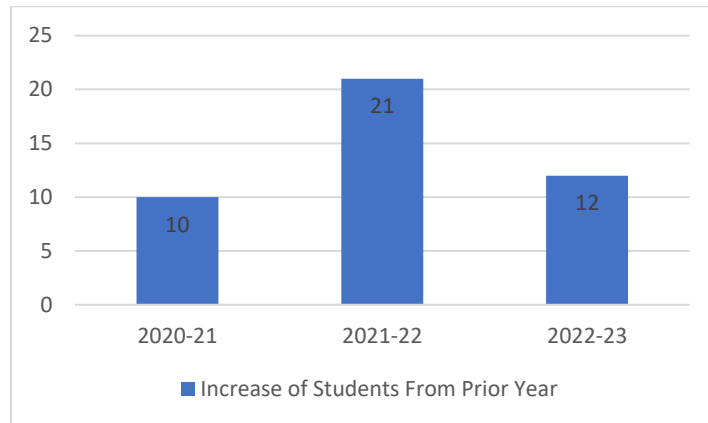


Figure 14: Gain of students between Grade 5th and 6th from 2020-21 to 2022-23 in Woodworth-Monroe

Although some of the increased enrollment from Grades 5 to 6 at Woodworth-Monroe may already be due to Worthington students transferring to Woodworth-Monroe after Grade 5, the dynamic of student enrollment increasing at Woodworth-Monroe at this grade level bodes well for the future enrollment if Worthington is closed. In other words, since Woodworth-Monroe is a TK-8 campus, it is possible that graduating Grade 5 students will remain on the campus for middle school rather than transferring out of the school.

Other Schools and Specialized Programs

It is always a possibility that the District may lose some enrollment if parents decide to enroll their students in a school of outside the District. However, when there is a continuity of programs for the students who choose to stay in the District schools, remaining in a District school would be a more attractive option for most students. Many families live close to Woodworth-Monroe Academy and, in most cases, transferring to a school outside the district would cause more commuting time for families to reach schools on the other side of busy and potentially dangerous roadways. For those families residing closer to another District school, the option is available to enroll in another District school.

As discussed in detail earlier in this report, all specialized programs currently available at Worthington are already available or may easily be offered at Woodworth-Monroe. Therefore, the closure of Worthington should have no adverse impact on the attendance in the specialized programs. Please refer to “Availability and Transferability of Specialized Programs” section of this report for greater detail.

Findings

The closure of Worthington will have no impact on any feeder schools since there are not any such feeder schools. The consolidation under consideration, in general, has some potential of retaining enrollment in the District by keeping Grade 6 students, who are currently leaving Worthington for another school/district, engaged and continuing for their middle school education at Woodworth-Monroe.

Additional AB 1912 Analysis (Education Code Section 41329 (a)(2)(A))

Factors used to Identify List of Schools for Closure and Consolidation

The School Closure and Consolidation Committee

The District compiled and analyzed a large amount of data as it was considering school closures and consolidations. This data has been thoroughly vetted and has been made publicly available at the School Closure and Consolidation (SCCC) meetings and is also available on the SCCC web site:

https://www.inglewoodusd.com/apps/pages/index.jsp?uREC_ID=1531273&type=d&pREC_ID=2378813

The SCCC reviewed information and reports prepared by consultants, in addition to other information provided by the District to make recommendations regarding school sites that were reasonable candidates to close or consolidate. The Committee's meetings were conducted pursuant to the Brown Act, with the goal of engaging in a thorough, transparent process to find solutions that best meet the District's and community's interests. In 2022 the committee recommended the closure of Warren Lane Elementary School, the consolidation of the Inglewood Alternative High School, and to continue to review the possibility of closing Worthington. In 2023 the committee was unable to recommend any school for closure. Ultimately, the County Administrator, upon considering facts and options, has the authority to decide and approve whether to close/consolidate schools and, if so, which schools.

The SCCC selected and focused on the following criteria to evaluate schools for closure:

- Enrollment
- Capacity Excluding Portables
- Capacity With Portables
- Intermediate Repair Needs
- Long Term Repair Needs
- Operating Cost per Student

The SCCC grouped the District schools into groups of similar types and were ranked. The final ranking is shown below:

Table 17

School Closure and Consolidation Committee Evaluation Matrix

School Closure Evaluation Matrix, Summary Ranking								
1=Strongest Score 4= Weakest Score								
	<u>Enrollment</u>	<u>Capacity Excluding Portables</u>	<u>Capacity with Portables</u>	<u>Immediate Repair Needs</u>	<u>Long Term Repair Needs</u>	<u>Operating Costs per Student</u>	<u>Total</u>	<u>Average</u>
North TK-6,8 Schools								
Centinela	2	1	1	3	4	1	12	2.0
Frank D.Parent	4	4	4	4	2	4	22	3.7
Highland	3	3	3	1	3	2	15	2.5
La Tijera	1	2	2	2	1	3	11	1.8
West TK-6,8 Schools								
Beulah Payne	1	1	1	1	2	3	9	1.5
Hudnall	4	2	4	2	1	4	17	2.8
Kelso	3	4	3	4	4	2	20	3.3
Oak Street	2	3	2	3	3	1	14	2.3
East TK-6,8 Schools								
Bennett-Kew	2	2	3	1	1	3	12	2.0
Woodworth-Monroe	1	1	1	2	3	2	10	1.7
Worthington	3	3	2	3	2	1	14	2.3
Secondary Education Schools								
Crozier Middle	3	3	3	1	2	3	15	2.5
City Honors International Prep	4	4	4	2	1	1	16	2.7
Inglewood High	1	1	1	4	4	2	13	2.2
Morningside High	2	2	2	3	3	4	16	2.7

The SCCC also reviewed and discussed other data such as the balance of student demographics, various scatter plot maps of where students reside, the process for deciding future use of a closed site, district geography and location of school sites, district and school enrollment projections, as well as other pertinent information.

[Equity Impact Analysis Findings for Each School Closure or Consolidation.](#)

The previous sections of this report contain the analysis and findings for each required metric required by AB 1912. The finding may be found at the end of each section. Each section also includes an analysis on how the finding was determined.

[Plan For the Use of School’s Proposed for Closure or Consolidation Once it Has Become a Vacated Facility](#)

More details on the Asset disposition and future use process may be found in the “Aesthetics and the Opportunity for Blight and Negative Impact” section of this report.

[Criteria Used to Assign Displaced Pupils to Other School Sites, or a Description of the Process of Reassignment that will be Used by the School District.](#)

If Worthington is closed, the District is planning to unify Worthington with Woodworth-Monroe and transfer the enrollment of students to Woodworth-Monroe. Parents who do not wish to enroll in Woodworth-Monroe are able to apply to transfer to any other school in the District.

Options and Timelines for Transitioning Pupils to Their New Schools, Including Improving Safe Routes to Schools and Home-to-School Transportation Needs.

The District is planning to unify Worthington and Woodworth-Monroe in January of 2024 immediately after the winter break. This transition will relocate all students in the school. The January 2024 move has several advantages as compared to closing Worthington at the end of the 2022-23 school year:

- There is more time to prepare the facility as compared to starting the transition in August 2023
- Entire classrooms will be moved at the same time allowing an entire class to remain together with classmates and their teacher
- The District can schedule visits to the campus prior to the move to ease the anxiety that comes with change
- The support staff from Worthington can also transition to Woodworth-Monroe to ensure students are familiar with the adults they started the year working with
- It allows parents to decide this spring where their child will attend school for the 2023-24 school year so that the District will know before January 2024 the number of students who will be moving to Woodworth-Monroe
- The extra time will allow the District to work through all details of the unification so that the transition is smooth and allows more time to meet and communicate with parents to address concerns about the transition

In summary, a January unification of the two sites will provide continuity and stability for the children as they transition to their new school. A January unification will ensure the dual immersion program is continued and children will have the support of their same teacher and classmates at the new site. More details of this transition will be addressed over the next few months to ensure a transition that best meets the needs of students, families and staff. A mid-year transition will not generate cost savings in the first year but is the most child-sensitive way to ensure that children feel comfortable and cared for in the process of school unification.

As demonstrated in the transportation needs section of this report, the closure of Worthington would expand some students walking distance to school but the total walking distance for students in the current Worthington school boundaries would not be greater than 1.5 miles. For many students there is relatively no change in walking distance or a reduction in their walking distance. The District plans to receive more feedback from parents to decide if any changes can be made to enhance safe routes to schools, and if there is an interest, the District may organize “walking school busses or “bicycle trains” in groups to be escorted by parents, and provide information regarding the district’s safe routes to school program as described in the District Administrative Regulation 5142.2.

Appendices

EQUITY IMPACT ANALYSIS 2023

Inglewood Unified School District

- *Appendix A: Senate Bill No. 533*
- *Appendix B: Assembly Bill 1840*
- *Appendix C: Assembly Bill No. 1912*
- *Appendix D: Comparison of the Number of Schools in Similar School Districts*
- *Appendix E: Map of IUSD School Boundaries*

Senate Bill No. 533

CHAPTER 325

An act relating to the Inglewood Unified School District, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 14, 2012. Filed with Secretary of State September 14, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 533, Wright. Inglewood Unified School District: emergency loan.

(1) Existing law provides for emergency apportionments to school districts subject to specified conditions, including, in certain circumstances, the repayment of an emergency loan over a period of no more than 20 years and the appointment by the Superintendent of Public Instruction of an administrator who would exercise the powers and responsibilities of the governing board of the school district.

This bill would express the intent of the Legislature to provide emergency apportionment assistance to the Inglewood Unified School District, and require the Superintendent to assume all the rights, duties, and powers of the governing board of the Inglewood Unified School District and to appoint, in consultation with the Los Angeles County Superintendent of Schools, a state administrator to act on behalf of the Superintendent in exercising the Superintendent's authority over the school district.

The bill would continue the authority of the Superintendent and the state administrator over the Inglewood Unified School District until certain enumerated conditions are met, including the completion of assessment and improvement plans for the school district.

The bill would require the County Office Fiscal Crisis and Management Assistance Team (FCMAT) to provide specified assistance relating to the development of a multiyear financial recovery plan, the preparation of budget reports, and the recommendation of activities that could enhance revenue or achieve cost savings.

The bill would require the Inglewood Unified School District to bear 100% of the costs associated with implementing the provisions of the bill relating to the administration of the emergency apportionment assistance and the activities of the FCMAT, thereby imposing a state-mandated local program.

The bill would appropriate up to \$29,000,000 from the General Fund to the Superintendent for apportionment as an emergency loan to the Inglewood Unified School District, and would specify procedures for repayment of the loan unless the loan has been refinanced, as specified. The bill would authorize the school district to augment the emergency apportionment or loan with an additional \$26,000,000 of bank financing, as provided. The bill would authorize the school district to sell property owned by the school district from September 1, 2012, to June 30, 2015, inclusive, and use

the proceeds from the sale to reduce or retire the emergency loan, and would prohibit the school district from being eligible for financial hardship assistance under the Leroy F. Greene School Facilities Act of 1998 from June 1, 2012, to June 30, 2015, inclusive.

(2) This bill would make legislative findings and declarations that the unique circumstances of the Inglewood Unified School District warrant the enactment of a special statute.

(3) 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 no reimbursement is required by this act for a specified reason.

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

DIGEST KEY

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: yes

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

(a) Providing a quality education that meets the unique needs of the pupils of the Inglewood Unified School District is a fundamental goal that should not be jeopardized.

(b) On April 12, 2012, the Los Angeles County Office of Education notified the Inglewood Unified School District of its budget negative certification. Negative certification is assigned when a school district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year. In December 2010, the Los Angeles County Office of Education assigned a fiscal advisor to monitor the operations of the Inglewood Unified School District.

(c) The budget analysis conducted by the Los Angeles County Office of Education indicates that the Inglewood Unified School District is deficit spending, unable to maintain a prudent reserve for economic uncertainty, will have a negative General Fund balance for the 2012–13 fiscal year, and insufficient reserves for the two subsequent fiscal years to meet all of its financial obligations.

(d) The Inglewood Unified School District is facing fiscal and cash insolvency as a result of organizational decision making, overstating average daily attendance, understating California State Teachers' Retirement System payments, understating certificated salary expenses, and continued deficit spending.

(e) The enrollment of the Inglewood Unified School District is declining which further exacerbates its fiscal circumstances.

(f) The Inglewood Unified School District is projected to run out of cash to support its routine operations and expenditures at the end of March 2013, and it will require an emergency appropriation from the state in order to continue the delivery of educational services to pupils enrolled in the school district.

SEC. 2.

It is the intent of the Legislature to provide emergency appropriation assistance to the Inglewood Unified School District, and invoke the provisions of Article 2 (commencing with Section 41320) of, and Article 2.5 (commencing with Section 41325) of, Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code, except as otherwise provided in this act, in order to restore the school district to fiscal solvency.

SEC. 3.

As provided in subdivision (b) of Section 41326 of the Education Code, the Superintendent of Public Instruction shall assume all legal rights, duties, and powers of the governing board of the Inglewood Unified School District, and shall appoint a state administrator, in consultation with the county superintendent of schools, to act on his or her behalf in carrying out the requirements of Article 2 (commencing with Section 41320) of, and Article 2.5 (commencing with Section 41325) of, Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code. Notwithstanding subdivision (e) of Section 41326 of the Education Code, the authority of the Superintendent of Public Instruction and the state administrator shall continue until all of the following occur:

(a) (1) At any time after one complete fiscal year has elapsed following the school district's acceptance of a loan as described in subdivision (a) of Section 41326 of the Education Code, the state administrator determines, and so notifies the Superintendent of Public Instruction and the county superintendent of schools, that future compliance by the school district with the recovery plans approved pursuant to subdivision (b) is probable.

(2) The Superintendent of Public Instruction may return power to the governing board of the school district for any area listed in subdivision (a) of Section 41327.1 of the Education Code, if performance under the recovery plan for that area has been demonstrated to the satisfaction of the Superintendent of Public Instruction.

(b) The Superintendent of Public Instruction has approved all of the recovery plans referred to in subdivision (a) of Section 41327 of the Education Code, and the County Office Fiscal Crisis and Management Assistance Team completes the improvement plans specified in Section 41327.1 of the Education Code and has completed a minimum of two reports identifying the school district's progress in implementing the improvement plans.

(c) The state administrator certifies that all necessary collective bargaining agreements have been negotiated and ratified, and that the agreements are consistent with the terms of the recovery plans.

(d) The school district has completed all reports required by the Superintendent of Public Instruction and the state administrator.

(e) The state administrator certifies that the members of the school board and school district personnel, as appropriate, have successfully completed the training specified in subdivision (b) of Section 7 of this act.

(f) The Superintendent of Public Instruction determines that future compliance by the school district with the recovery plans approved pursuant to subdivision (b) is probable.

SEC. 4.

In addition to the implementation of subdivision (b) of Section 41325 of the Education Code, it is the intent of the Legislature that the Superintendent of Public Instruction, operating through the appointed state administrator, do all of the following:

(a) Work with the staff and governing board of the Inglewood Unified School District to identify the procedures and programs that the school district will implement during the 2012–13 school year and future school years that do all of the following:

(1) Significantly raise pupil achievement.

(2) Improve pupil attendance.

(3) Lower pupil dropout rate.

(4) Increase parental involvement.

(5) Attract, retain, and train a quality teaching staff.

(6) Manage fiscal expenditures in a manner that is consistent with the current and projected revenues of the school district.

(b) Analyze the identified procedures and programs and, where applicable and appropriate, protect, maintain, and expand them as the budget of the school district allows. The state administrator shall report any findings applicable to this section to the Superintendent of Public Instruction and the education committees of the Legislature.

(c) To the extent allowed by school district finances, maintain, under the revised program, core educational reforms that will lead to districtwide improvement of academic achievement, including, but not necessarily limited to, educational reforms targeting underperforming and program improvement schools and other reforms that have demonstrated measurable success.

SEC. 5.

(a) The County Office Fiscal Crisis and Management Assistance Team (FCMAT), with concurrence from the Superintendent of Public Instruction, shall, with respect to the Inglewood Unified School District, do all of the following:

(1) Provide assistance to the state administrator in the development of the first annual multiyear financial recovery plan required under paragraph (2) of subdivision (a) of Section 41327 of the Education Code.

(2) Provide assistance to the state administrator in the development of the adopted budget and interim reports.

(3) Recommend to the Superintendent of Public Instruction any studies or activities that should be undertaken by the state administrator to enhance revenue or achieve cost savings.

(4) Provide any other assistance as described in Section 42127.8 of the Education Code.

(b) The Inglewood Unified School District shall bear 100 percent of all costs associated with implementing Article 2.5 (commencing with Section 41325) of Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code, including the activities of the FCMAT. The FCMAT's assistance under this section shall continue until the school district is certified as positive pursuant to the definition in paragraph (1) of subdivision (a) of Section 42131 of the Education Code, or until all legal rights, duties, and powers are returned to the governing board of the school district, whichever comes first.

SEC. 6.

For purposes of Article 2 (commencing with Section 41320) of, and Article 2.5 (commencing with Section 41325) of, Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code, the state administrator of the Inglewood Unified School District is a public school employer within the meaning of the Educational Employment Relations Act (Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code).

SEC. 7.

(a) The Superintendent of Public Instruction, with respect to the Inglewood Unified School District, may consider the comprehensive assessment conducted by the County Office Fiscal Crisis and Management Assistance Team (FCMAT) pursuant to Section 41327.1 of the Education Code to meet the requirements for the financial management review and recovery plan identified in paragraph (1) of subdivision (a) of Section 41327.1 of the Education Code.

(b) The improvement plan for personnel management specified in paragraph (3) of subdivision (a) of Section 41327.1 of the Education Code shall include, but not necessarily be limited to, the following training:

(1) Training for members of the governing board of the Inglewood Unified School District in the subjects about which members of the governing board of the school district need to have knowledge to effectively discharge their duties as school board members, with specific training in the fiduciary responsibilities of a governing board member and in the financial management practices necessary for governing board members to effectively discharge their duty to oversee and monitor the budget, accounting practices, revenues, and expenditures of the school district. At a minimum, each school board member shall participate in the Masters in Governance training provided by the California School Boards Association. The cost for this training shall be borne by the school district.

(2) Training for all personnel with management, policymaking, and advisory responsibilities who report or would report directly to the state administrator, to ensure they have the knowledge and skills to effectively administer their areas of responsibility consistent with sound fiscal practices and the budgetary requirements of the school district.

(c) Notwithstanding the timelines in subdivision (d) of Section 41327.1 of the Education Code, after the first written status report, FCMAT shall file subsequent reports annually thereafter as determined by the Superintendent of Public Instruction.

SEC. 8.

(a) The sum of up to twenty-nine million dollars (\$29,000,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for apportionment to the Inglewood Unified School District for the purpose of an emergency loan. In order to qualify for the loan, the school district shall comply with Article 2 (commencing with Section 41320) of, and Article 2.5 (commencing with Section 41325) of, Chapter 3 of Part 24 of Division 3 of Title 2 of the Education Code to the extent those provisions are consistent with the conditions specified in this act.

(b) Funds may be disbursed from the proceeds of the loan only if the state administrator and the County Office Fiscal Crisis and Management Assistance Team jointly determine that the disbursement is necessary to support the immediate cashflow needs of the school district.

(c) Based on the needs of the school district to meet its obligations, the Superintendent of Public Instruction may direct the Controller to disburse, on a monthly basis, specific amounts of the emergency loan before the approval of all of the conditions established by this act.

(d) For the fiscal year in which the apportionments are disbursed and each year thereafter, the Controller, or his or her designee, shall cause an audit in lieu of the audit required by Section 41020 of the Education Code to be conducted of the books and accounts of the school district. At the discretion of the Controller, the audit may be conducted by the Controller, his or her designee, or an auditor selected by the school district and approved by the Controller. The costs of these audits shall be borne by the school district. The audits shall be required until the Controller determines, in consultation with the Superintendent of Public Instruction, that the school district is financially solvent, but in no event earlier than one year following the implementation of the plan or later than the time the apportionment made is repaid, including interest.

SEC. 9.

(a) Unless the emergency loan has been refinanced pursuant to Section 10 of this act, the Inglewood Unified School District shall repay the emergency loan incurred pursuant to Section 8 of this act as a straight-line loan amortized over a 20-year term. This amount shall be repaid by the school district, plus interest calculated at a rate equal to the rate earned by the Pooled Money Investment Account on the date this act becomes effective, for a period not to exceed 20 years.

(b) Unless the emergency loan has been refinanced pursuant to Section 10 of this act, if a required payment is not made within 60 days after a scheduled date, the Controller shall pay the defaulted loan payment of principal and interest by withholding that amount from the next available payment that would otherwise be made to the county treasurer on behalf of the school district pursuant to Section 14041 of the Education Code. However, subject to the approval of the Department of Finance, the amount withheld may be in monthly amounts as determined by an agreement between the Inglewood Unified School District and the Controller during the period beginning with the next available apportionment through the month preceding the next scheduled payment.

(c) Unless the emergency loan has been refinanced pursuant to Section 10 of this act, the Director of Finance may amend the payment schedule set forth in subdivision (a) if the director concludes that the amendment is warranted and is in the best interests of both the state and the Inglewood Unified School District education program. Upon that determination, the director shall notify the Joint Legislative Budget Committee that the payment schedule will be changed on the date that is 90 days

from the date of notification if the Legislature is in session. If the 90-day period ends during a recess of the Legislature or while the Legislature is not in session, the 90-day period shall be extended until the Legislature reconvenes. Amendments to the payment schedule shall defer the unpaid portion of a repayment of the earliest fiscal year in which no other repayment is scheduled. Interest shall accrue on the unpaid portion of a repayment from the scheduled due date until the time the payment is actually made. The interest charge shall be the rate equal to the daily investment rate of the Pooled Money Investment Account on the date the pay schedule is changed.

(d) Unless the emergency loan has been refinanced pursuant to Section 10 of this act, the school district may repay its loan obligation without incurring any prepayment penalties.

SEC. 10.

The Inglewood Unified School District shall enter into bank financing with the California Infrastructure and Economic Development Bank pursuant to the bank's powers under the Bergeson-Peace Infrastructure and Economic Development Bank Act as set forth in Division 1 (commencing with Section 63000) of Title 6.7 of the Government Code and Sections 41329.52 and 41329.55 of the Education Code, upon terms the bank, in its discretion, deems necessary or appropriate for purposes of financing or refinancing the emergency apportionment, including a repayment to the General Fund of the amount advanced pursuant to Section 8 of this act. In addition to the financing or refinancing of the emergency apportionment, the bank financing made pursuant to this section may include funds necessary for reserves, capitalized interest, credit enhancements, and costs of issuance. In addition to the amount advanced pursuant to Section 8 of this act, the school district may augment the emergency apportionment or loan with an additional twenty-six million dollars (\$26,000,000) of bank financing in order to increase the emergency apportionment or loan to a total of no more than fifty-five million dollars (\$55,000,000) as the principal financing amount plus the amount of funds necessary for reserves, capitalized interests, credit enhancements, and costs of issuance associated with each bank financing and, as a result, increase the amount of the bank financing. If a bank financing has been made, the Inglewood Unified School District may prepay its bank financing obligations in accordance with the terms of the bank financing documents.

SEC. 11.

(a) Notwithstanding Sections 17456, 17457, 17462, and 17463 of the Education Code, or any other law, from September 1, 2012, to June 30, 2015, inclusive, the Inglewood Unified School District may sell property owned by the school district and use the proceeds from the sale to reduce or retire the emergency loan provided in Section 8 of this act. The sale only of property pursuant to this subdivision is not subject to Section 17459 or 17464 of the Education Code.

(b) Notwithstanding any other law, from June 1, 2012, to June 30, 2015, inclusive, the Inglewood Unified School District is not eligible for financial hardship assistance pursuant to Article 8 (commencing with Section 17075.10) of Chapter 12.5 of Part 10 of Division 1 of Title 1 of the Education Code.

SEC. 12.

The Los Angeles County Superintendent of Schools maintains the responsibility to superintend school districts under his or her jurisdiction. This act does not remove any statutory or regulatory rights, duties, or obligations from the county superintendent of schools.

SEC. 13.

The Legislature finds and declares that, due to unique circumstances relating to the fiscal emergency in the Inglewood Unified School District, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

SEC. 14.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

SEC. 15.

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 to address the fiscal emergency in which the Inglewood Unified School District finds itself, and to ensure that it meets its cash obligations for this fiscal year, it is necessary that this act take effect immediately.

DRAFT

Assembly Bill No. 1840
CHAPTER 426

An act to amend Sections 8265.5, 41320, 41320.1, 41321, 41325, 41326, 41327, 41327.1, 41327.2, 42127.6, 42127.9, 44416, 44418, 46392, 47606.5, 52060, 52061, 52064, 52065, 52066, 52067, 52074, 78222, and 84750.41 of, to add Sections 17463.5 and 66093.4 to, to add Chapter 6.5 (commencing with Section 42160) to Part 24 of Division 3 of Title 2 of, to repeal Section 60810 of, and to repeal and amend Section 313 of, the Education Code, to amend Sections 17581.6 and 17581.97 of the Government Code, to amend Section 28160 of the Vehicle Code, to amend Section 77 of Chapter 15 of the Statutes of 2017, and to amend Sections 131, 133, and 134 of Chapter 32 of the Statutes of 2018, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor September 17, 2018. Filed with Secretary of State September 17, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1840, Committee on Budget. Education finance.

(1) Existing law, the Child Care and Development Services Act, establishes a system of child care and development services for children up to 13 years of age, and requires the Superintendent of Public Instruction to implement a plan establishing assigned reimbursement rates, per unit of average daily enrollment, to be paid by the state to provider agencies for the provision of those services. Existing law also provides for an adjustment factor to be applied to units of average daily enrollment if a provider agency serves children who meet specified criteria.

This bill would revise the adjustment factors applicable until December 31, 2018, as provided.

(2) Existing law imposes various requirements on the sale or lease of surplus real property by school districts.

Existing law authorizes the governing board of a school district to request an emergency apportionment through the Superintendent of Public Instruction if the governing board of the school district determines during a fiscal year that its revenues are less than the amount necessary to meet its current year expenditure obligations. Existing law imposes duties on the Superintendent, among others, relating to the administration of those emergency apportionments.

This bill would reallocate duties, and would revise the provisions, relating to those emergency apportionments. Because the bill would impose new duties on county superintendents of schools, the bill would impose a state-mandated local program.

This bill would authorize the Inglewood Unified School District, the Oakland Unified School District, the South Monterey County Joint Union High School District, and the Vallejo City Unified School District, if those school districts have an outstanding emergency apportionment loan as of July 1, 2018, until the emergency apportionment loan is repaid, to sell or lease surplus real property, together with any personal property located on the real property, owned by the school district and use the proceeds from the sale or lease to service, reduce, or retire the debt on the emergency apportionment loan, or for capital improvements of the school district's facilities.

The bill would make legislative findings and declarations as to the necessity of a special statute for the Inglewood Unified School District, the Oakland Unified School District, the South Monterey County Joint Union High School District, and the Vallejo City Unified School District.

(3) Existing law establishes a public school financing system that requires state funding for school districts and charter schools to be calculated pursuant to a local control funding formula, as specified.

Existing law requires the governing board of a school district to certify twice during a fiscal year whether the school district is able to meet its financial obligations for the remainder of the fiscal year and for the subsequent fiscal year. Existing law requires these certifications to be classified as positive, qualified, or negative and to be filed with the county superintendent of schools. Existing law requires a county superintendent of schools to change a positive certification to negative or qualified when the county office of education determines a negative or qualified certification should have been filed.

This bill would require the Oakland Unified School District, for the 2018–19 fiscal year, in collaboration with and with the concurrence of the Alameda County Superintendent of Schools and the County Office Fiscal Crisis and Management Assistance Team, to take certain actions by March 1, 2019, regarding its financial plans and school district construction plans, as specified. The bill would provide that, beginning with the 2019–20 fiscal year and ending with the 2021–22 fiscal year, the Budget Act for those fiscal years shall include certain appropriations, as specified. The bill would make the disbursement of moneys from those appropriations contingent upon the completion of activities specified in the prior year Budget Act to improve the school district's fiscal solvency.

This bill would require the Inglewood Unified School District, for the 2018–19 fiscal year, to take certain actions. The bill would provide that, beginning with the 2019–20 fiscal year and ending with the 2021–22 fiscal year, the Budget Act for those fiscal years shall include certain appropriations, as specified. The bill would make the disbursement of moneys from those appropriations contingent upon the completion of activities specified in the prior year Budget Act to improve the school district's fiscal solvency. The bill would, until June 30, 2019, authorize the Superintendent of Public Instruction to waive the reimbursement determination, calculated pursuant to a specified regulation, for Inglewood Unified School District's 2016–17 fiscal year California state preschool program contract in order to resolve the school district's outstanding child development reimbursement liability to the state.

Because the bill would impose additional duties on local agencies, this bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for Oakland Unified School District and the Inglewood Unified School District.

(4) Existing law requires the county superintendent of schools to take certain actions if, at any time during the fiscal year, he or she determines that a school district may be unable to meet its financial obligations for the current or 2 subsequent fiscal years or if the district would have a qualified or negative certification, as specified, including, among others, notifying, and performing certain actions

with the consultation of, the Superintendent of Public Instruction. Existing law establishes a process to appeal these determinations of the county superintendent of schools by appealing to the Superintendent of Public Instruction, as specified. Existing law requires the Superintendent to monitor the efforts of a county office of education in exercising its authority under these provisions and authorizes the Superintendent to exercise any of that authority if he or she finds that the actions of the county superintendent of schools are not effective in resolving the financial problems of the school district.

This bill would require the county superintendent of schools to additionally notify, and report to, the president of the State Board of Education or the president's designee concerning matters noticed and reported to the Superintendent pursuant to these provisions. The bill, if the county superintendent of schools is relieved of certain powers assumed by the Superintendent pursuant to those provisions, would require the county superintendent of schools to provide support and assistance to the Superintendent in the exercise of those powers. The bill would require the Superintendent to also request that the County Office Fiscal Crisis and Management Assistance Team identify the circumstances that led to the ineffectiveness of the county superintendent of schools in resolving the financial problems of the school district, and to require the county office of education to demonstrate, in a manner determined by the Superintendent, remediation of those deficiencies. Because the bill would impose new duties on county superintendents of schools, it would create a state-mandated local program.

(5) Existing law, if a school district that receives notice of any change or changes adopted by the county superintendent of schools in the school district's budget pursuant to specified provisions, authorizes the governing board of the school district to submit an appeal to the Superintendent of Public Instruction, based upon the contention that the change or changes would cause one or more specified actions. Existing law requires the Superintendent, no later than five days after receiving that appeal, to deny or uphold the appeal.

This bill would require the Superintendent to deny or uphold the appeal, no later than five days after receiving the appeal, with the concurrence of the president of the State Board of Education or the president's designee.

(6) Existing law establishes the Local Solutions Grant Program to provide one-time competitive grants to specified types of local educational agencies to develop and implement new, or expand existing, locally identified solutions that address a local need for special education teachers, as provided. Existing law appropriates \$50,000,000 from the General Fund to the Commission on Teacher Credentialing for the 2018-19 fiscal year for purposes of the program, and provides that this funding is available for encumbrance through June 30, 2023, and for liquidation through June 30, 2026. Existing law requires the commission to require grant recipients to submit a final implementation report within 3 years of receiving a grant award. Existing law repeals the Local Solutions Grant Program and the Teacher Residency Grant Program on January 1, 2027.

This bill would instead make that funding available for liquidation through June 30, 2028, and would instead require the commission to require grant recipients to submit a final implementation report within 5 years of receiving a grant award. By extending the time in which funds encumbered under an existing appropriation may be liquidated, the bill would make an appropriation. The bill would delay the repeal of the Local Solutions Grant Program and the Teacher Residency Grant Program until January 1, 2029.

(7) Existing law requires, on or before July 1, 2014, governing boards of school districts and county boards of education to adopt a local control and accountability plan, as provided. Existing law requires charter schools, on or before July 1, 2015, and each year thereafter, to adopt a local control

and accountability plan to update the goals and annual actions to achieve those goals identified in the charter petition, as provided. Existing law requires, on or before March 31, 2014, the State Board of Education to adopt templates for use by school districts, county superintendents of schools, and charter schools for purposes of the local control and accountability plans.

This bill would require, on or before January 31, 2020, the template adopted by the state board to require the inclusion of specified information relating to pupil performance and fiscal accountability in the local control and accountability plans. The bill would require the template, to the greatest extent practicable, to use language that is understandable and accessible to parents. The bill would require a local control and accountability plan and an annual update to a local control and accountability plan adopted by a school district, county board of education, or charter school to include all of the information specified in the template, and would require data reported in the local control and accountability plan to be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the State Department of Education. The bill would require the superintendent of a school district and a county superintendent of schools to post prominently on the homepage of their Internet Web site, instead of just posting on their Internet Web site, their local control and accountability plans and any updates or revisions to those plans. To the extent the bill would require school districts, county boards of education, and charter schools to include additional information in their local control and accountability plans, the bill would impose a state-mandated local program.

The bill would appropriate, for the 2018–19 fiscal year, \$200,000 from the General Fund to the department to support updating the Local Control Accountability Plan Electronic Template system. The bill would require the department, in collaboration with, and subject to the approval of, the executive director of the state board, to enter into contracts with the San Joaquin County Office of Education for these purposes. To the extent these contracts would impose additional duties on the San Joaquin County Office of Education, the bill would impose a state-mandated local program.

(8) Existing law establishes the California Collaborative for Educational Excellence for purposes of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan. Existing law authorizes the collaborative to accept a request or referral to advise and assist a school district, county superintendent of schools, or charter school in specified circumstances. Existing law authorizes the governing board of a school district to request an emergency apportionment through the Superintendent of Public Instruction if the governing board of the school district determines during a fiscal year that its revenues are less than the amount necessary to meet its current year expenditure obligations.

This bill would provide that a school district is deemed to have been referred to the California Collaborative for Educational Excellence if the school district receives an emergency apportionment pursuant to specified provisions. The bill, if the collaborative provides assistance to a school district referred pursuant to this provision, would require the collaborative to conduct a systemic review of the school district to identify needs and strategies to improve pupil academic achievement, as provided. The bill would require the collaborative, based on the results of the systemic review, to coordinate and facilitate the assistance provided to the school district by governmental agencies to provide coherent and effective support consistent with the purpose of the statewide system of support.

(9) The California Constitution provides that the University of California constitutes a public trust administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes.

This bill would expressly authorize the University of California to provide services, benefits, and any other form of assistance aimed at furthering a student's educational success to all of its enrolled students who meet the eligibility requirements for any such program the University, or its campuses, establishes.

(10) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes the Student Equity and Achievement Program pursuant to which funding may be provided to support the California Community Colleges in implementing activities and practices that, among other things, advance the systemwide goal of eliminating achievement gaps for students from traditionally underrepresented groups. Existing law requires a community college district to comply with certain requirements as a condition of the receipt of funds for purposes of the program.

This bill would also require a community college district, as a condition of the receipt of funds for purposes of the program, to provide a report to the Office of the Chancellor of the California Community Colleges by January 1 of each year detailing how program funding was expended in the prior fiscal year and an assessment of the progress in advancing the systemwide goal of eliminating achievement gaps for students from traditionally underrepresented groups. The bill would require, by April 1 of each year, the chancellor's office to submit a systemwide report to the Legislature and Department of Finance that provides a summary of those district reports. The bill would authorize the Board of Governors to require districts or colleges to provide a local fund match for funding appropriated for purposes of the program, and would alter other provisions relating to program funding.

(11) Existing law establishes the Community College Student Success Funding Formula Oversight Committee, consisting of 15 members for purposes of continuously evaluating and reviewing the implementation of the student success funding formula. Existing law states the intent of the Legislature to further refine and determine the membership, duties, and responsibilities of the oversight committee.

This bill would provide that the oversight committee consists of 12 members, 4 appointed by the Senate Committee on Rules, 4 by the Speaker of the Assembly, and 4 by the Governor, as specified. The bill would specify that the committee members appointed by the Legislature serve at the pleasure of the appointing authority and those appointed by the Governor serve a 4-year term, with at least one member being a community college administrator. The bill would specify the duties and responsibilities of the oversight committee. The bill would repeal the provisions establishing the oversight committee on January 1, 2022.

(12) Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. Existing law provides that specified services provided by local educational agencies are covered Medi-Cal benefits and are reimbursable on a fee-for-service basis under the Local Educational Agency Medi-Cal Billing Option program.

Existing law appropriates, for the 2018–19 fiscal year, \$697,759,000 from the General Fund to the Controller for transfer to Section A of the State School Fund for allocation by the State Department of Education to school districts, county offices of education, and charter schools, as specified. Under existing law, if a school district, county office of education, or charter school is required to repay claims disallowed under, among other programs, the Local Educational Agency Medi-Cal Billing Option program for the 2009–10 fiscal year to the 2015–16 fiscal year, inclusive, the Controller is

required, upon notification from the Department of Finance, to withhold the specified amounts owed from the allocations made pursuant to these provisions.

This bill would delete that requirement for the Controller to withhold the specified amounts owed if a school district, county office of education, or charter school is required to repay claims disallowed under the Local Educational Agency Medi-Cal Billing Option program.

(13) Existing law requires all schoolbuses to be equipped with certain safety features, as specified. Existing law requires, on or before the beginning of the 2018–19 school year, schoolbuses, school pupil activity buses, except as provided, youth buses, and child care motor vehicles to be equipped with an operational child safety alert system, as defined.

This bill would instead require schoolbuses, school pupil activity buses, except as provided, youth buses, and child care motor vehicles to be equipped with an operational child safety alert system on or before March 1, 2019. The bill would grant specified school districts, county offices of education, charter schools, private schools, and other entities that operate those vehicles an additional 6 months to meet that requirement if certain documentation is submitted to the Department of the California Highway Patrol on or before March 1, 2019.

The bill would require the Department of the California Highway Patrol to consult with the State Department of Education to develop frequently asked questions related to the implementation of these requirements.

(14) Existing law, for the 2017–18 fiscal year, appropriates \$400,000 from the General Fund to the Superintendent of Public Instruction for support and development of the Local Control Accountability Plan Electronic Template system and the California School Dashboard mobile app, with \$350,000 of that amount required to be used to host, maintain, and support the development of the Local Control Accountability Plan Electronic Template system and the remaining \$50,000 to be used to support and develop the California School Dashboard mobile app.

This bill would provide that the \$50,000 to be used to support and develop the California School Dashboard mobile app is available for encumbrance through the 2018–19 fiscal year.

(15) Existing law appropriates \$50,000,000 to the Controller for transfer to Section A of the State School Fund for allocation by the State Department of Education for purposes of the Classified School Employee Summer Assistance Program. Existing law authorizes a classified employee of a local educational agency participating in the program who meets specified requirements to withhold an amount from his or her monthly paycheck during the 2019–20 school year to be paid out during the summer recess period, and requires the department to apportion funds to participating local educational agencies to provide a participating classified employee up to \$1 for each \$1 that participating classified employee has elected to have withheld from his or her monthly paychecks. Existing law requires participating local educational agencies to deposit the amounts withheld from the monthly paychecks of a participating classified employee in an account within its general fund, to be known as the Classified School Employee Summer Assistance Program Fund.

This bill, instead of requiring the amounts withheld to be deposited in an account within its general fund, would require the amounts withheld to be deposited in a separate account. The bill would also clarify that, for purposes of the program, “local educational agency” means a school district or county office of education.

(16) Existing law appropriates \$50,000,000 for the 2018–19 fiscal year from the General Fund to the State Department of Education to establish the Classified School Employee Professional Development Block Grant Program. Existing law requires the department to apportion those block grant funds to

local educational agencies for specified purposes relating to the professional development of classified school employees, as provided.

This bill would require the department to provide \$5,000,000 of those funds to the Office of the Chancellor of the California Community Colleges for professional development for classified community college employees, as provided. Because the bill would authorize an existing appropriation to be spent for a new purpose, the bill would make an appropriation.

(17) Existing law establishes the Charter Schools Facilities Program to provide funding to qualifying entities for the purpose of establishing school facilities for charter school pupils. Existing law places various duties on the California School Finance Authority for purposes of administering the program.

This bill would appropriate \$21,146,000 from the General Fund to the California School Finance Authority for the 2018–19 fiscal year to support programmatic costs for the program attributable to the 2017–18 fiscal year.

(18) This bill would repeal obsolete provisions, make conforming and clarifying changes, correct cross-references, and make other nonsubstantive changes.

(19) 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 the statutory provisions noted above, except that specified funding provided for school districts, county offices of education, and charter schools shall be used to directly offset any mandated costs.

(20) Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(21) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

DIGEST KEY

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: yes

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

With respect to Section 34 of this act:

(a) It is the intent of the Legislature by authorizing the extension for compliance with the child safety requirements initially established by Chapter 721 of the Statutes of 2016 (Senate Bill 1072 of the 2015–16 Regular Session) to provide a sufficient timeline to successfully install child safety alert

systems in all applicable vehicles as required by Section 28160 of the Vehicle Code to ensure the safety of all pupils and youth being transported.

(b) It is further the intent of the Legislature, by providing this extension, to strongly encourage school districts, county offices of education, charter schools, private schools, and other entities to prioritize the installation of child safety alert systems on vehicles that transport individuals with exceptional needs, as defined in Section 56026 of the Education Code, as their safety continues to be a top priority for the Legislature.

(c) Additionally, as public safety remains a top priority for the Legislature, it is further the intent of the Legislature to only provide this extension on a one-time basis to ensure that child safety alert systems are properly installed on all applicable vehicles pursuant to Section 28160 of the Vehicle Code and pupils and youth are transported in the safest manner.

SEC. 2.

Section 313 of the Education Code, as amended by Section 2 of Chapter 478 of the Statutes of 2013, is repealed.

SEC. 3.

Section 313 of the Education Code, as added by Section 3 of Chapter 478 of the Statutes of 2013, is amended to read:

313.

(a) Each school district that has one or more pupils who are English learners, and, to the extent required by federal law, each county office of education and each charter school, shall assess the English language development of each pupil in order to determine the level of proficiency for purposes of this chapter.

(b) The department, with the approval of the state board, shall establish procedures for conducting the assessment required pursuant to subdivision (a) and for the reclassification of a pupil from English learner to English proficient.

(c) Commencing with the 2000–01 school year until subdivision (d) is implemented, the assessment shall be conducted upon initial enrollment, and annually, thereafter, during a period of time determined by the Superintendent and the state board. The annual assessments shall continue until the pupil is redesignated as English proficient. The assessment shall primarily utilize the English language development test identified or developed by the Superintendent pursuant to Chapter 7 (commencing with Section 60810) of Part 33 of Division 4 of Title 2.

(d) (1) This subdivision shall not be implemented unless and until the department receives written documentation from the United States Department of Education that federal law permits the implementation of the changes set forth in this subdivision or until the 2013–14 school year, whichever occurs later.

(2) The summative assessment shall be conducted annually during a four-month period after January 1 determined by the Superintendent with the approval of the state board. Annual assessments shall continue until the pupil is redesignated as English proficient. The annual assessment shall primarily utilize the English language development assessment identified or developed by the Superintendent pursuant to Chapter 7 (commencing with Section 60810) of Part 33 of Division 4 of Title 2.

(3) The assessment for initial identification shall be conducted upon the initial enrollment of a pupil in order to provide information to be used to determine if the pupil is an English learner.

(A) If the initial enrollment of a pupil occurs on a date outside of the testing period identified pursuant to paragraph (2), the prior year's annual assessment for the grade in which the pupil is enrolling shall be used for this purpose.

(B) If the initial enrollment of a pupil occurs on a date within the testing period identified pursuant to paragraph (2), the initial assessment of the pupil shall be conducted as part of the annual assessment conducted pursuant to paragraph (2).

(4) Notwithstanding paragraph (2), a school district shall assess the English language development of a pupil pursuant to this section no more than one time per school year for each assessment purpose pursuant to Chapter 7 (commencing with Section 60810) of Part 33 of Division 4 of Title 2.

(e) The assessments conducted pursuant to subdivision (d) shall be conducted in a manner consistent with federal statutes and regulations.

(f) The reclassification procedures developed by the department shall utilize multiple criteria in determining whether to reclassify a pupil as proficient in English, including, but not limited to, all of the following:

(1) Assessment of language proficiency using an objective assessment instrument, including, but not limited to, the English language development test that is developed or acquired pursuant to Section 60810.

(2) Teacher evaluation, including, but not limited to, a review of the pupil's curriculum mastery.

(3) Parental opinion and consultation.

(4) Comparison of the performance of the pupil in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age, that demonstrates whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English.

(g) This section does not preclude a school district or county office of education from testing English learners more than once in a school year if the school district or county office of education chooses to do so.

SEC. 4.

Section 8265.5 of the Education Code is amended to read:

8265.5.

(a) In order to reflect the additional expense of serving children who meet any of the criteria outlined in subdivisions (c) and (d), the provider agency's reported child days of enrollment for these children shall be multiplied by the adjustment factors listed below.

(b) The adjustment factors shall apply to a full-day state preschool program and those programs for which assigned reimbursement rates are at or below the standard reimbursement rate. In addition, the adjustment factors shall apply to those programs for which assigned reimbursement rates are above the standard reimbursement rate, but the reimbursement rate, as adjusted, shall not exceed the adjusted standard reimbursement rate. The adjustment factors shall apply to those full-day state preschool programs for which assigned reimbursement rates are above the full-day state preschool

reimbursement rate, but the reimbursement rate, as adjusted, shall not exceed the adjusted full-day state preschool reimbursement rate.

(c) Until December 31, 2018, the adjustment factors shall be as follows:

(1) For infants who are 0 to 18 months of age and are served in a child day care center, the adjustment factor shall be 1.7.

(2) For toddlers who are 18 to 36 months of age and are served in a child day care center, the adjustment factor shall be 1.4.

(3) For infants and toddlers who are 0 to 36 months of age and are served in a family child care home, the adjustment factor shall be 1.4.

(4) For children with exceptional needs who are 0 to 21 years of age, the adjustment factor shall be 1.2.

(5) For severely disabled children who are 0 to 21 years of age, the adjustment factor shall be 1.5.

(6) For children at risk of neglect, abuse, or exploitation who are 0 to 14 years of age, the adjustment factor shall be 1.1.

(7) For limited-English-speaking and non-English-speaking children who are two years of age through kindergarten age, the adjustment factor shall be 1.1.

(d) Notwithstanding any other law, commencing January 1, 2019, the adjustment factors shall be as follows:

(1) For infants who are 0 to 18 months of age and are served in a child day care center or a family child care home, the adjustment factor shall be 2.44.

(2) For toddlers who are 18 to 36 months of age and are served in a child day care center or a family child care home, the adjustment factor shall be 1.8.

(3) For children with exceptional needs who are 0 to 21 years of age, the adjustment factor shall be 1.54.

(4) For severely disabled children who are 0 to 21 years of age, the adjustment factor shall be 1.93.

(5) For children at risk of neglect, abuse, or exploitation who are 0 to 14 years of age, the adjustment factor shall be 1.1.

(6) For limited-English-speaking and non-English-speaking children who are two years of age through kindergarten age, the adjustment factor shall be 1.1.

(e) Use of the adjustment factors shall not increase the provider agency's total annual allocation.

(f) Days of enrollment for children having more than one of the criteria outlined in subdivisions (c) and (d) shall not be reported under more than one of the above categories.

(g) The difference between the reimbursement resulting from the use of the adjustment factors outlined in subdivisions (c) and (d) and the reimbursement that would otherwise be received by a provider in the absence of the adjustment factors shall be used for special and appropriate services for each child for whom an adjustment factor is claimed.

SEC. 5.

Section 17463.5 is added to the Education Code, to read:

17463.5.

(a) For purposes of this section, “designated school district” means the Inglewood Unified School District, the Oakland Unified School District, the South Monterey County Joint Union High School District, and the Vallejo City Unified School District.

(b) (1) Notwithstanding Sections 17456, 17457, 17462, 17462.7, and 17463, or any other law, until the emergency apportionment loan is repaid, a designated school district with an outstanding emergency apportionment loan pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2, as of July 1, 2018, may sell or lease surplus real property, together with any personal property located on the real property, owned by the designated school district and use the proceeds from the sale or lease to service, reduce, or retire the debt on the emergency apportionment loan, or for capital improvements of the facilities of the designated school district pursuant to subdivisions (a) and (b) of Section 17462.

(2) The sale or lease of surplus real property pursuant to this subdivision shall be sold or leased pursuant to Section 17458, 17464, or 17489, as applicable.

(c) Notwithstanding any other law, a designated school district that uses the proceeds from the sale or lease of surplus real property pursuant to subdivision (b) shall not be eligible for financial hardship assistance pursuant to Article 8 (commencing with Section 17075.10) of Chapter 12.5 of Part 10.

(d) Nothing in this section shall be construed as modifying the responsibility of a designated school district to accommodate pupils in accordance with Section 47614.

(e) Nothing in this section shall exclude the designated school districts with outstanding emergency apportionment loans, pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3 of Title 2, as of July 1, 2018, except as provided in subdivision (c), from participating in or benefitting from any program authorized pursuant to Chapter 12 (commencing with Section 17000), Chapter 12.5 (commencing with Section 17070.10), or Chapter 14 (commencing with Section 17085) of Part 10, or any other state school facilities funding program.

(f) Notwithstanding any other law, this section shall not be subject to waiver by the state board pursuant to Section 33050 or by the Superintendent.

SEC. 6.

Section 41320 of the Education Code is amended to read:

41320.

As a condition to any emergency apportionment to be made pursuant to Section 41320.2, the following requirements shall be met:

(a) The school district requesting the apportionment shall submit to the county superintendent of schools having jurisdiction over the school district a report issued by an independent auditor approved by the county superintendent of schools on the financial conditions and budgetary controls of the school district, a written management review conducted by a qualified management consultant approved by the county superintendent of schools, and a fiscal plan adopted by the governing board to resolve the financial problems of the school district.

(b) The county superintendent of schools shall review, and provide written comment on, the independent auditor’s report, the management review, and the school district plan. That written

comment shall include the county superintendent's approval or disapproval of the school district plan. In the event the county superintendent disapproves the plan, the governing board shall revise the school district plan to respond to the concerns expressed by the county superintendent.

(c) Upon his or her approval of the school district plan, the county superintendent of schools shall submit copies of the report, review, plan, and written comments specified in subdivision (b) to the Superintendent, the Joint Legislative Audit Committee, the Joint Legislative Budget Committee, the Director of Finance, the president of the state board or his or her designee, and the Controller.

(d) The school district receiving the apportionment shall be eligible for assistance from the California Collaborative for Educational Excellence pursuant to Section 52074.

(e) The county superintendent of schools, with the concurrence of the Superintendent, shall certify to the Director of Finance that the action taken to correct the financial problems of the school district is realistic and will result in placing the school district on a sound financial basis.

(f) The school district shall develop a schedule to repay the emergency loan, including any lease financing pursuant to Article 2.7 (commencing with Section 41329.50), and submit it to the county superintendent of schools. The county superintendent of schools shall review and comment on the repayment schedule and submit it to the Superintendent for approval or disapproval. Upon the approval of the repayment schedule, and of the other reports, reviews, plans, and the appointment of the trustee required by this article, the Superintendent shall request the Controller to disburse the proceeds of the emergency loan to the school district.

(g) The school district requesting the apportionment shall reimburse the county superintendent of schools for the costs incurred by the superintendent pursuant to this section.

SEC. 7.

Section 41320.1 of the Education Code is amended to read:

41320.1.

Acceptance by the school district of the apportionments made pursuant to Section 41320 constitutes the agreement by the school district to all of the following conditions:

(a) The county superintendent of schools, the Superintendent, and the president of the state board or his or her designee shall, by majority vote, appoint a trustee from a pool of candidates identified and vetted by the County Office Fiscal Crisis and Management Assistance Team pursuant to subdivision (b) who has recognized expertise in management and finance and may employ, on a short-term basis, staff necessary to assist the trustee, including, but not limited to, certified public accountants, as follows:

(1) The expenses incurred by the trustee and necessary staff shall be borne by the school district.

(2) The county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, shall establish the terms and conditions of the employment, including the remuneration of the trustee. The trustee shall report directly to the county superintendent of schools. The county superintendent of schools shall provide regular updates to the Superintendent and the president of the state board or his or her designee regarding the work of the trustee.

(3) The trustee, and necessary staff, shall serve until the school district has adequate fiscal systems and controls in place, the Superintendent has determined that the school district's future compliance with the fiscal plan approved for the school district pursuant to Section 41320 is probable, and the

county superintendent of schools, the Superintendent, and the president of the state board or his or her designee decide to terminate the trustee's appointment, but in no event for less than three years. The county superintendent of schools shall notify the Legislature, the Department of Finance, and the Controller no less than 60 days before the time that the county superintendent of schools expects these conditions to be met.

(4) Before the school district repays the loan, including interest, the recipient of the loan shall select an auditor from a list established by the Superintendent and the Controller to conduct an audit of its fiscal systems. If the fiscal systems are deemed to be inadequate, the county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, may retain the trustee until the deficiencies are corrected. The cost of this audit and any additional cost of the trustee shall be borne by the school district.

(5) Notwithstanding any other law, all reports submitted to the trustee are public records.

(6) To facilitate the appointment of the trustee and the employment of necessary staff, this section is exempt from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

(7) If the trustee appointed pursuant to this section is an employee of the department, the salary and benefits of that employee shall be established by the Superintendent and paid by the school district. During the time of appointment, the employee is an employee of the school district, but shall remain in the same retirement system under the same plan as if the employee had remained in the department. Upon the expiration or termination of the appointment, the employee shall have the right to return to his or her former position, or to a position at substantially the same level as that position, with the department. The time served in the appointment shall be counted for all purposes as if the employee had served that time in his or her former position with the department.

(b) The County Office Fiscal Crisis and Management Assistance Team, when selecting the pool of candidates for trustee, shall consider candidates' expertise in management and finance, previous experience mitigating fiscal distress in school districts, and ability to meaningfully engage with the community that the school district serves, and shall provide an opportunity for public input on the selection of the pool of candidates for trustee.

(c) (1) The trustee appointed pursuant to this section shall monitor and review the operation of the school district. During the period of his or her service, the trustee may stay or rescind an action of the governing board of the school district that, in the judgment of the trustee, may affect the financial condition of the school district.

(2) After the trustee's period of service, and until the loan is repaid, the county superintendent of schools that has jurisdiction over the school district may stay or rescind an action of the governing board of the school district that, in his or her judgment, may affect the financial condition of the school district. The county superintendent of schools shall notify the Superintendent and the president of the state board or his or her designee, within five business days, if he or she stays or rescinds an action of the governing board of the school district. The notice shall include, but not be limited to, both of the following:

(A) A description of the governing board of the school district's intended action and its financial implications.

(B) The rationale and findings that support the county superintendent of school's decision to stay or rescind the action of the governing board of the school district.

(3) If the county superintendent of schools notifies the Superintendent and the president of the state board or his or her designee pursuant to paragraph (2), the county superintendent of schools shall report to the Legislature, pursuant to Section 9795 of the Government Code, on or before December 30 of every year, whether the school district is complying with the fiscal plan approved for the school district.

(4) The county superintendent of schools, with concurrence from the Superintendent, may establish timelines and prescribe formats for reports and other materials to be used by the trustee to monitor and review the operations of the school district. The trustee shall approve or reject all reports and other materials required from the school district as a condition of receiving the apportionment. The Superintendent, upon the recommendation of the trustee, may reduce an apportionment to the school district in an amount up to two hundred dollars (\$200) per day for each late or unacceptable report or other material required under this part, and shall report to the Legislature a failure of the school district to comply with the requirements of this section. If the county superintendent of schools determines, at any time, that the fiscal plan approved for the school district under Section 41320 is unsatisfactory, he or she may modify the plan as necessary, with concurrence from the Superintendent, and the school district shall comply with the plan as modified.

(d) At the request of the county superintendent of schools, with approval from the Superintendent, the Controller shall transfer to the department, from an apportionment to which the school district would otherwise have been entitled pursuant to Section 42238.02, as implemented by Section 42238.03, the amount necessary to pay the expenses incurred by the trustee and associated costs incurred by the county superintendent of schools.

(e) For the fiscal year in which the apportionments are disbursed and every year thereafter, the Controller, or an auditor that is designated by the Controller as both active and able to perform K-12 local education agency audits, shall cause an audit to be conducted of the books and accounts of the school district, in lieu of the audit required by Section 41020. At the Controller's discretion, the audit may be conducted by the Controller, his or her designee, an auditor that is designated by the Controller as both active and able to perform K-12 local education agency audits, or an auditor selected by the school district and approved by the Controller. The costs of these audits shall be borne by the school district. These audits shall be required until the Controller determines, in consultation with the county superintendent of schools and the Superintendent, that the school district is financially solvent, but in no event earlier than one year following the implementation of the plan or later than the time the apportionment made is repaid, including interest. The auditor selected pursuant to this subdivision, if any, the county superintendent of schools, a County Office Fiscal Crisis and Management Assistance Team representative, the Superintendent, and the school district superintendent, or their respective designees, shall meet before the audit to discuss the terms of the audit and the timeline under which it will proceed. In addition, the Controller shall conduct quality control reviews pursuant to subdivision (c) of Section 14504.2.

(f) For purposes of errors and omissions liability insurance policies, the trustee appointed pursuant to this section is an employee of the local educational agency to which he or she is assigned. For purposes of workers' compensation benefits, the trustee is an employee of the local educational agency to which he or she is assigned, except that a trustee appointed pursuant to paragraph (7) of subdivision (a) is an employee of the department for those purposes.

(g) Except for an individual appointed by the vote pursuant to subdivision (a) as a trustee described in paragraph (7) of subdivision (a), the trustee appointed pursuant to this section is a member of the State Teachers' Retirement System, if qualified, for the period of service as trustee, unless the trustee elects in writing not to become a member. A person who is a member or retirant of the State Teachers' Retirement System at the time of appointment shall continue to be a member or retirant of the system

for the duration of the appointment. If the trustee chooses to become a member or is already a member, the trustee shall be placed on the payroll of the school district for the purpose of providing appropriate contributions to the system. The Superintendent may also require that an individual appointed as a trustee described in paragraph (7) of subdivision (a) be placed on the payroll of the school district for purposes of remuneration, other benefits, and payroll deductions. For purposes of workers' compensation benefits, the state-appointed trustee is deemed an employee of the local educational agency to which he or she is assigned, except that a trustee who is described in paragraph (7) of subdivision (a) is an employee of the department for those purposes.

SEC. 8.

Section 41321 of the Education Code is amended to read:

41321.

(a) On or before October 31 of the year following receipt of an emergency apportionment, and each year thereafter, until the emergency apportionment, including interest, is repaid, the governing board of the school district shall prepare a report on the financial condition of the school district. The report shall include, but not necessarily be limited to, all of the following information:

- (1) Specific actions taken to reduce expenditures or increase income, and the cost savings and increased income resulting from those actions.
- (2) A copy of the adopted budget for the current fiscal year.
- (3) Reserves for economic uncertainties.
- (4) Status of employee contracts.
- (5) Obstacles to the implementation of the adopted recovery plan.

(b) The school district shall submit the report to the trustee for review. Upon the trustee's approval of the report, the school district shall transmit copies to the county superintendent of schools, the Superintendent, the president of the state board or his or her designee, and the Controller.

SEC. 9.

Section 41325 of the Education Code is amended to read:

41325.

(a) The Legislature finds and declares that when a school district becomes insolvent and requires an emergency apportionment from the state in the amount designated in this article, it is necessary that the county superintendent of schools, under the supervision of the Superintendent, assume control of the school district in order to ensure the school district's return to fiscal solvency.

(b) It is the intent of the Legislature that an administrator, appointed pursuant to Section 41326, do all of the following:

- (1) Implement substantial changes in the school district's fiscal policies and practices, including, if necessary, the filing of a petition under Chapter 9 of the federal Bankruptcy Code for the adjustment of indebtedness.
- (2) Revise the school district's educational program to reflect realistic income projections, in response to the dramatic effect of the changes in fiscal policies and practices upon educational program quality and the potential for the success of all pupils.

(3) Encourage all members of the school community to accept a fair share of the burden of the school district's fiscal recovery.

(4) Consult, for the purposes described in this subdivision, with the school district governing board, the exclusive representatives of the employees of the school district, parents, and the community.

(5) Consult with and seek recommendations from the county superintendent of schools and the Superintendent for the purposes described in this subdivision.

(c) For purposes of this article, the county superintendent of schools, the Superintendent, and the president of the state board or his or her designee may also appoint a trustee with the powers and responsibilities of an administrator, as set forth in this article.

SEC. 10.

Section 41326 of the Education Code is amended to read:

41326.

(a) Notwithstanding any other provision of this code, the acceptance by a school district of an apportionment made pursuant to Section 41320 that exceeds an amount equal to 200 percent of the amount of the reserve recommended for that school district under the standards and criteria adopted pursuant to Section 33127 constitutes the agreement by the school district to the conditions set forth in this article. Before applying for an emergency apportionment in the amount identified in this subdivision, the governing board of a school district shall discuss the need for that apportionment at a regular or special meeting of the governing board of the school district and, at that meeting, shall receive testimony regarding the apportionment from parents, exclusive representatives of employees of the school district, and other members of the community. For purposes of this article, "qualifying school district" means a school district that accepts a loan as described in this subdivision.

(b) The county superintendent of schools shall assume all the legal rights, duties, and powers of the governing board of a qualifying school district. The county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, shall appoint an administrator from a pool of candidates identified and vetted by the County Office Fiscal Crisis and Management Assistance Team pursuant to subdivision (c) to exercise the authority described in this subdivision in accordance with all of the following:

(1) The administrator shall serve under the direction and supervision of the county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, until terminated by the county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, at their discretion.

(2) The administrator shall have recognized expertise in management and finance.

(3) To facilitate the appointment of the administrator and the employment of necessary staff, this section is exempt from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

(4) Notwithstanding any other law, if an employee of the state or the office of the county superintendent of schools is appointed to act as administrator pursuant to this section, the administrator, if he or she is an employee of the state or the office of the county superintendent of schools, is an employee of the qualifying school district during the tenure of his or her appointment, but shall remain in the same retirement system under the same plan that has been provided by his

or her employment with the state or the office of the county superintendent of schools. Upon the expiration or termination of the appointment, the employee shall have the right to return to his or her former position, or to a position at substantially the same level as that position, with the state or the office of the county superintendent of schools. The time served in the appointment shall be counted for all purposes as if the administrator had served that time in his or her former position with the state or the office of the county superintendent of schools.

(5) Except for an individual appointed as an administrator by the county superintendent of schools who is described in and subject to paragraph (4), the administrator shall be a member of the State Teachers' Retirement System, if qualified, for the period of service as administrator, unless he or she elects in writing not to become a member. A person who is a member or retirant of the State Teachers' Retirement System at the time of appointment shall continue to be a member or retirant of the system for the duration of the appointment. If the administrator chooses to become a member or is already a member, the administrator shall be placed on the payroll of the qualifying school district for purposes of providing appropriate contributions to the system. The Superintendent may also require the administrator to be placed on the payroll of the qualifying school district for purposes of remuneration, other benefits, and payroll deductions.

(6) For purposes of workers' compensation benefits, the administrator is an employee of the qualifying school district, except that an administrator described in and subject to paragraph (4) may be deemed an employee of the state or office of the county superintendent of schools, as applicable.

(7) The qualifying school district shall add the administrator as a covered employee of the qualifying school district for all purposes of errors and omissions liability insurance policies.

(8) The salary and benefits of the administrator shall be established by the county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, and paid by the qualifying school district.

(9) The county superintendent of schools or the administrator may employ, on a short-term basis and at the expense of the qualifying school district, any staff necessary to assist the administrator, including, but not limited to, a certified public accountant.

(10) The administrator may do all of the following:

(A) Implement substantial changes in the fiscal policies and practices of the qualifying school district, including, if necessary, the filing of a petition under Chapter 9 (commencing with Section 901) of Title 11 of the United States Code for the adjustment of indebtedness.

(B) Revise the educational program of the qualifying school district to reflect realistic income projections and pupil performance relative to state standards.

(C) Encourage all members of the school community to accept a fair share of the burden of the fiscal recovery of the qualifying school district.

(D) Consult, for the purposes described in this subdivision, with the governing board of the qualifying school district, the exclusive representatives of the employees of the qualifying school district, parents, and the community.

(E) Consult with, and seek recommendations from, the Superintendent, the county superintendent of schools, and the County Office Fiscal Crisis and Management Assistance Team authorized pursuant to subdivision (c) of Section 42127.8 for purposes described in this article.

(F) Upon approval by the county superintendent of schools, enter into agreements on behalf of the qualifying school district and, subject to any contractual obligation of the qualifying school district, change existing school district rules, regulations, policies, or practices as necessary for the effective implementation of the recovery plans referred to in Sections 41327 and 41327.1.

(G) Request the advice and assistance of the California Collaborative for Educational Excellence.

(c) The County Office Fiscal Crisis and Management Assistance Team, when selecting the pool of candidates for administrator, shall consider candidates' expertise in management and finance, previous experience mitigating fiscal distress in school districts, and ability to engage meaningfully with the community that the school district serves, and shall provide an opportunity for public input on the selection of the pool of candidates for administrator.

(d) (1) Except as provided for in paragraph (2), the period of time during which the county superintendent of schools exercises the authority described in subdivision (b), the governing board of the qualifying school district shall serve as an advisory body reporting to the administrator appointed pursuant to subdivision (b), and has no rights, duties, or powers, and is not entitled to any stipend, benefits, or other compensation from the qualifying school district.

(2) (A) After one complete fiscal year has elapsed following the qualifying school district's acceptance of an emergency apportionment, the governing board of the qualifying school district may conduct an annual advisory evaluation of an administrator for the duration of the administratorship.

(B) An advisory evaluation of an administrator shall focus on the administrator's effectiveness in leading the qualifying school district toward fiscal recovery and improved academic achievement. Advisory evaluation criteria shall be agreed upon by the governing board of the qualifying school district and the administrator before the advisory evaluation. The advisory evaluation shall include, but not be limited to, all of the following:

(i) Goals and standards consistent with Section 41327.1.

(ii) Commendations in the areas of the administrator's strengths and achievements.

(iii) Recommendations for improving the administrator's effectiveness in areas of concern and unsatisfactory performance.

(C) An advisory evaluation of an administrator conducted by the governing board of a qualifying school district shall be submitted to the Governor, the Legislature, pursuant to Section 9795 of the Government Code, the Superintendent, the president of the state board or his or her designee, the county superintendent of schools, and the County Office Fiscal Crisis and Management Assistance Team.

(3) Upon the appointment of an administrator pursuant to this section, the district superintendent of schools is no longer an employee of the qualifying school district.

(4) A determination of the severance compensation for the district superintendent of schools shall be made pursuant to subdivision (k).

(e) Notwithstanding Section 35031 or any other law, the administrator, after according the affected employee reasonable notice and the opportunity for a hearing, may terminate the employment of a deputy, associate, assistant superintendent, or other school district level administrator who is employed by a qualifying school district under a contract of employment signed or renewed after January 1, 1992, if the employee fails to document, to the satisfaction of the administrator, that before the date of the acceptance of the emergency apportionment he or she either advised the governing

board of the qualifying school district, or his or her superior, that actions contemplated or taken by the governing board of the qualifying school district could result in the fiscal insolvency of the qualifying school district, or took other appropriate action to avert that fiscal insolvency.

(f) The authority of the county superintendent of schools, the Superintendent, the president of the state board or his or her designee, and the administrator, under this section shall continue until all of the following occur:

(1) (A) After one complete fiscal year has elapsed following the qualifying school district's acceptance of an emergency apportionment as described in subdivision (a), the administrator determines, and so notifies the county superintendent of schools, the Superintendent, and the president of the state board or his or her designee, that future compliance by the qualifying school district with the recovery plans approved pursuant to paragraph (2) is probable.

(B) The county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, may return power to the governing board of the qualifying school district for an area listed in subdivision (a) of Section 41327.1 if performance under the recovery plan for that area has been demonstrated to the satisfaction of the county superintendent of schools, with concurrence from the Superintendent.

(2) The county superintendent of schools, with concurrence from the Superintendent, has approved all of the recovery plans referred to in subdivision (a) of Section 41327 and the County Office Fiscal Crisis and Management Assistance Team completes the improvement plans specified in Section 41327.1 and has completed a minimum of two reports identifying the qualifying school district's progress in implementing the improvement plans.

(3) The administrator certifies that all necessary collective bargaining agreements have been negotiated and ratified, and that the agreements are consistent with the terms of the recovery plans.

(4) The qualifying school district has completed all reports required by the county superintendent of schools and the administrator.

(5) The county superintendent of schools, with concurrence from the Superintendent, determines that future compliance by the qualifying school district with the recovery plans approved pursuant to paragraph (2) is probable.

(g) When the conditions stated in subdivision (f) have been met, and at least 60 days after the county superintendent of schools has notified the Legislature, pursuant to Section 9795 of the Government Code, the Department of Finance, the Superintendent, the president of the state board or his or her designee, and the Controller that he or she expects the conditions prescribed pursuant to this section to be met, the governing board of the qualifying school district shall regain all of its legal rights, duties, and powers, except for the powers held by the trustee provided for pursuant to Article 2 (commencing with Section 41320). The parties specified in Section 41320.1 shall appoint a trustee under that section to monitor and review the operations of the qualifying school district until the conditions of subdivision (b) of that section have been met.

(h) Notwithstanding subdivision (g), if the qualifying school district violates a provision of the recovery plans approved by the county superintendent of schools, with concurrence from the Superintendent, pursuant to this article within five years after the trustee appointed pursuant to Section 41320.1 is removed or after the emergency apportionment is repaid, whichever occurs later, or the improvement plans specified in Section 41327.1 during the period of the trustee's appointment, the county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, may reassume, either directly or through

an administrator appointed in accordance with this section, all of the legal rights, duties, and powers of the governing board of the qualifying school district. The county superintendent of schools, with concurrence from both the Superintendent and the president of the state board or his or her designee, shall return to the governing board of the qualifying school district all of its legal rights, duties, and powers reassumed under this subdivision when he or she determines that future compliance with the approved recovery plans is probable, or after a period of one year, whichever occurs later.

(i) Article 2 (commencing with Section 41320) shall apply except as otherwise specified in this article.

(j) It is the intent of the Legislature that the legislative budget subcommittees annually conduct a review of each qualifying school district that includes an evaluation of the financial condition of the qualifying school district, the impact of the recovery plans upon the qualifying school district's educational program, and the efforts made by the state-appointed administrator to obtain input from the community and the governing board of the qualifying school district.

(k) (1) The district superintendent of schools is entitled to a due process hearing for purposes of determining final compensation. The final compensation of the district superintendent of schools shall be between zero and six times his or her monthly salary. The outcome of the due process hearing shall be reported to the Superintendent and the public. The information provided to the public shall explain the rationale for the compensation.

(2) This subdivision applies only to a contract for employment negotiated on or after June 21, 2004.

(l) (1) When the county superintendent of schools assumes control over a qualifying school district pursuant to subdivision (b), the County Office Fiscal Crisis and Management Assistance Team shall review the fiscal oversight of the qualifying school district by the county superintendent of schools. The County Office Fiscal Crisis and Management Assistance Team may consult with other fiscal experts, including other county superintendents of schools and regional fiscal teams, in conducting this review.

(2) Within three months of the county superintendent of schools assuming control over a qualifying school district, the County Office Fiscal Crisis and Management Assistance Team shall report its findings to the Legislature, pursuant to Section 9795 of the Government Code, and shall provide a copy of that report to the Department of Finance, the Superintendent, and the president of the state board or his or her designee. This report shall include findings as to fiscal oversight actions that were or were not taken and may include recommendations as to an appropriate legislative response to improve fiscal oversight.

(3) In the year following the completion of the report required in paragraph (2), the County Office Fiscal Crisis and Management Assistance Team shall begin annual reviews of the effectiveness of the oversight of the qualifying school district by the county office of education.

(4) If, after performing the duties described in paragraphs (1), (2), and (3), the County Office Fiscal Crisis and Management Assistance Team determines that the county superintendent of schools failed to carry out his or her responsibilities for fiscal oversight as required by this code, the Superintendent, with the concurrence of the president of the state board or his or her designee, may exercise the authority of the county superintendent of schools who has oversight responsibilities for a qualifying school district. The Superintendent and the president of the state board or his or her designee shall further require the county superintendent of schools to demonstrate remediation of deficiencies identified in reports required in paragraphs (2) and (3). If the Superintendent finds, based on the reports required in paragraphs (2) and (3), that the county superintendent of schools

failed to appropriately take into account particular types of indicators of financial distress, or failed to take appropriate remedial actions in the qualifying school district, the Superintendent shall further investigate whether the county superintendent of schools failed to take into account those indicators, or similarly failed to take appropriate actions in other school districts with negative or qualified certifications.

SEC. 11.

Section 41327 of the Education Code is amended to read:

41327.

(a) In accordance with timelines, instructions, and a format established by the county superintendent of schools, with concurrence from the Superintendent, the administrator appointed pursuant to subdivision (b) of Section 41326 shall prepare or obtain the following reports and plans:

(1) A management review and recovery plan.

(2) A multiyear financial recovery plan. The multiyear financial recovery plan shall include a plan, to be submitted annually on or before July 1, to repay to the state any and all loans owed by the school district.

(3) During the period of service by the administrator appointed pursuant to subdivision (b) of Section 41326, an annual report on the financial condition of the school district, including, but not necessarily limited to, all of the following information:

(A) Specific actions taken to reduce school district expenditures or increase income to the school district, and the amount of the resulting cost savings and increases in income.

(B) A copy of the adopted school district budget for the current fiscal year.

(C) The amount of the school district budgetary reserve.

(D) The status of employee contracts.

(E) Any obstacles to the implementation of the recovery plans described in paragraphs (1) and (2).

(b) Each of the reports or plans required under this section, or under any other law that requires the school district to prepare reports or plans, shall be submitted to the county superintendent of schools for approval, with concurrence from the Superintendent. The county superintendent of schools may accept and approve, for the purposes of this section, any reports or plans that were prepared by or for the school district prior to the school district's acceptance of a loan as described in subdivision (a) of Section 41326.

(c) With the approval of the county superintendent of schools, the administrator appointed pursuant to subdivision (b) of Section 41326 may enter into agreements on behalf of the school district and, subject to any contractual obligation of the school district, change any existing school district rules, regulations, policies, or practices as necessary for the effective implementation of the recovery plans referred to in subdivision (a).

(d) The County Office Financial Crisis and Management Assistance Team shall do an annual review of the progress made with regard to the recovery plans required by subdivision (a), and submit that review to the county superintendent, the Superintendent, and the president of the state board or his or her designee.

SEC. 12.

Section 41327.1 of the Education Code is amended to read:

41327.1.

(a) The state board shall adopt and may periodically update by regulation a comprehensive list of professional and legal standards that all school districts are encouraged to use as a guide to conduct a good educational program and fiscal and management practices that shall be used as the basis of evaluating the improvement of qualifying school districts pursuant to this article. These standards shall, at a minimum, address all of the following areas:

- (1) Financial management.
- (2) Pupil achievement.
- (3) Personnel management.
- (4) Facilities management.
- (5) Community relations.

(b) If an administrator is appointed pursuant to Section 41326, the County Office Fiscal Crisis and Management Assistance Team established pursuant to Section 42127.8 shall conduct comprehensive assessments in the five areas specified in subdivision (a).

(c) After the assessments specified in subdivision (b) are completed, the county superintendent of schools, in consultation with the County Office Fiscal Crisis and Management Assistance Team, the Superintendent, and the president of the state board or his or her designee, shall determine, based upon the school district's particular needs and circumstances, the level of improvement needed in the standards adopted pursuant to subdivision (a) before local authority will be returned pursuant to subdivision (g) of Section 41326. Based upon this determination, the County Office Fiscal Crisis and Management Assistance Team shall complete improvement plans in the five areas specified in subdivision (a) that focus on the agreed upon standards, and that are consistent with the financial improvement plan.

(d) Beginning six months after an emergency loan is approved, and every six months thereafter until local authority is returned pursuant to subdivision (g) of Section 41326, the County Office Fiscal Crisis and Management Assistance Team shall file a written status report with the appropriate fiscal and policy committees of the Legislature, the Members of the Legislature that represent the qualifying school district, any advisory council of the school district, the Superintendent, the county superintendent of schools, and the Director of Finance. The reports shall indicate the progress that the school district is making in meeting the recommendations of the improvement plans developed pursuant to this section.

(e) If the County Office Fiscal Crisis and Management Assistance Team indicates in writing that it has insufficient resources to complete the comprehensive assessments, improvement plans, and progress reports required pursuant to this section, the county superintendent of schools shall request proposals to complete these tasks, and subject to the approval of the Department of Finance, select an entity to complete the tasks assigned to the County Office Fiscal Crisis and Management Assistance Team pursuant to this section.

SEC. 13.

Section 41327.2 of the Education Code is amended to read:

41327.2.

(a) The appointment of an administrator pursuant to Section 41326 does not remove any statutory rights, duties, or obligations from the county superintendent of schools. The county superintendent of schools retains the responsibility to superintend school districts under his or her jurisdiction.

(b) The county superintendent of schools shall submit reports to the Superintendent, the president of the state board or his or her designee, the appropriate fiscal and policy committees of the Legislature, and the Director of Finance subsequent to review by the county superintendent of schools of the school district's budget and interim reports in accordance with subdivision (d) of, and paragraph (1) of subdivision (f) of, Section 42127, and paragraph (2) of subdivision (a) of, and subdivision (e) of, Section 42131. These reports shall document the fiscal and administrative status of the qualifying school district, particularly in regard to the implementation of fiscal and management recovery plans. Each report shall also include a determination of whether the revenue streams to the school district appear to be consistent with its expenditure plan, according to the most recent data available at the time of the report. These reports are required until six months after all rights, duties, and powers are returned to the school district pursuant to this article.

SEC. 14.

Section 42127.6 of the Education Code is amended to read:

42127.6.

(a) (1) A school district shall provide the county superintendent of schools with a copy of a study, report, evaluation, or audit that was commissioned by the school district, the county superintendent, the Superintendent of Public Instruction, and state control agencies and that contains evidence that the school district is showing fiscal distress under the standards and criteria adopted in Section 33127, or a report on the school district by the County Office Fiscal Crisis and Management Assistance Team or any regional team created pursuant to subdivision (i) of Section 42127.8. The county superintendent shall review and consider studies, reports, evaluations, or audits of the school district that contain evidence that the school district is demonstrating fiscal distress under the standards and criteria adopted in Section 33127 or that contain a finding by an external reviewer that more than three of the 15 most common predictors of a school district needing intervention, as determined by the County Office Fiscal Crisis and Management Assistance Team, are present. If these findings are made, the county superintendent shall investigate the financial condition of the school district and determine if the school district may be unable to meet its financial obligations for the current or two subsequent fiscal years, or should receive a qualified or negative interim financial certification pursuant to Section 42131. If at any time during the fiscal year the county superintendent of schools determines that a school district may be unable to meet its financial obligations for the current or two subsequent fiscal years or if a school district has a qualified or negative certification pursuant to Section 42131, he or she shall notify the governing board of the school district and the Superintendent of Public Instruction in writing of that determination and the basis for the determination. The notification shall include the assumptions used in making the determination and shall be available to the public. The county superintendent of schools shall report to the Superintendent of Public Instruction on the financial condition of the school district and his or her proposed remedial actions and shall do at least one of the following and all actions that are necessary to ensure that the school district meets its financial obligations:

(A) Assign a fiscal expert, paid for by the county superintendent, to advise the school district on its financial problems.

(B) Conduct a study of the financial and budgetary conditions of the school district that includes, but is not limited to, a review of internal controls. If, in the course of this review, the county superintendent determines that his or her office requires analytical assistance or expertise that is

not available through the school district, he or she may employ, on a short-term basis, with the approval of the Superintendent of Public Instruction, staff, including certified public accountants, to provide the assistance and expertise. The school district shall pay 75 percent and the county office of education shall pay 25 percent of these staff costs.

(C) Direct the school district to submit a financial projection of all fund and cash balances of the district as of June 30 of the current year and subsequent fiscal years as he or she requires.

(D) Require the district to encumber all contracts and other obligations, to prepare appropriate cashflow analyses and monthly or quarterly budget revisions, and to appropriately record all receivables and payables.

(E) Direct the school district to submit a proposal for addressing the fiscal conditions that resulted in the determination that the school district may not be able to meet its financial obligations.

(F) Withhold compensation of the members of the governing board of the school district and the school district superintendent for failure to provide requested financial information. This action may be appealed to the Superintendent of Public Instruction pursuant to subdivision (b).

(G) Assign the County Office Fiscal Crisis and Management Assistance Team to review teacher hiring practices, teacher retention rate, percentage of provision of highly qualified teachers, and the extent of teacher misassignment in the school district and provide the school district with recommendations to streamline and improve the teacher hiring process, teacher retention rate, extent of teacher misassignment, and provision of highly qualified teachers. If a review team is assigned to a school district, the school district shall follow the recommendations of the team, unless the school district shows good cause for failure to do so. The County Office Fiscal Crisis and Management Assistance Team may not recommend an action that would abrogate a contract that governs employment.

(2) Any contract entered into by a county superintendent of schools for the purposes of this subdivision is subject to the approval of the Superintendent of Public Instruction.

(3) An employee of a school district who provides information regarding improper governmental activity, as defined in Section 44112, is entitled to the protection provided pursuant to Article 5 (commencing with Section 44110) of Chapter 1 of Part 25.

(b) Within five days of the county superintendent making the determination specified in subdivision (a), a school district may appeal the basis of the determination and any of the proposed actions that the county superintendent has indicated that he or she will take to further examine the financial condition of the school district. The Superintendent of Public Instruction shall sustain or deny any or all parts of the appeal within 10 days.

(c) If, after taking the actions identified in subdivision (a), the county superintendent determines that a school district will be unable to meet its financial obligations for the current or subsequent fiscal year, he or she shall notify the governing board of the school district, the Superintendent of Public Instruction, and the president of the state board or the president's designee in writing of that determination and the basis for that determination. The notification shall include the assumptions used in making the determination and shall be provided to the superintendent of the school district and parent and teacher organization of the school district.

(d) Within five days of the county superintendent making the determination specified in subdivision (c), a school district may appeal that determination to the Superintendent of Public Instruction. The Superintendent shall sustain or deny the appeal within 10 days. If the governing board of the school district appeals the determination, the county superintendent of schools may stay any action of the governing board of the school district that he or she determines is inconsistent with the ability of the

school district to meet its financial obligations for the current or subsequent fiscal year until resolution of the appeal by the Superintendent of Public Instruction.

(e) If the appeal described in subdivision (d) is denied or not filed, or if the school district has a negative certification pursuant to Section 42131, the county superintendent, in consultation with the Superintendent of Public Instruction, shall take at least one of the actions described in paragraphs (1) to (5), inclusive, and all actions that are necessary to ensure that the school district meets its financial obligations and shall make a report to the Superintendent and the president of the state board or the president's designee about the financial condition of the school district and remedial actions proposed by the county superintendent.

(1) Develop and impose, in consultation with the Superintendent of Public Instruction and the governing board of the school district, a budget revision that will enable the school district to meet its financial obligations in the current fiscal year.

(2) Stay or rescind any action that is determined to be inconsistent with the ability of the school district to meet its obligations for the current or subsequent fiscal year. This includes any actions up to the point that the subsequent year's budget is approved by the county superintendent of schools. The county superintendent of schools shall inform the governing board of the school district in writing of his or her justification for any exercise of authority under this paragraph.

(3) Assist in developing, in consultation with the governing board of the school district, a financial plan that will enable the school district to meet its future obligations.

(4) Assist in developing, in consultation with the governing board of the school district, a budget for the subsequent fiscal year. If necessary, the county superintendent of schools shall continue to work with the governing board of the school district until the budget for the subsequent year is adopted.

(5) As necessary, appoint a fiscal adviser to perform any or all of the duties prescribed by this section on his or her behalf.

(f) Any action taken by the county superintendent of schools pursuant to paragraph (1) or (2) of subdivision (e) shall be accompanied by a notification that shall include the actions to be taken, the reasons for the actions, and the assumptions used to support the necessity for these actions.

(g) This section does not authorize the county superintendent to abrogate any provision of a collective bargaining agreement that was entered into by a school district before the date that the county superintendent of schools assumed authority pursuant to subdivision (e).

(h) The school district shall pay 75 percent and the county office of education shall pay 25 percent of the administrative expenses incurred pursuant to subdivision (e) or costs associated with improving the school district's financial management practices. The Superintendent of Public Instruction shall develop and distribute to affected school districts and county offices of education advisory guidelines regarding the appropriate amount of administrative expenses charged pursuant to this subdivision.

(i) Notwithstanding Section 42647 or 42650 or any other law, a county treasurer shall not honor any warrant if, pursuant to Sections 42127 to 42127.5, inclusive, or pursuant to this section, the county superintendent or the Superintendent of Public Instruction, as appropriate, has disapproved that warrant or the order on school district funds for which a warrant was prepared.

(j) Effective upon the certification of the election results for a newly organized school district pursuant to Section 35763, the county superintendent of schools may exercise any of the powers and duties of this section regarding the reorganized school district and the other affected school districts

until the reorganized school district becomes effective for all purposes in accordance with Article 4 (commencing with Section 35530) of Chapter 3 of Part 21.

(k) The Superintendent of Public Instruction shall monitor the efforts of a county office of education in exercising its authority under this section and may exercise any of that authority if he or she finds that the actions of the county superintendent of schools are not effective in resolving the financial problems of the school district. Upon a decision to exercise the powers of the county superintendent of schools, the county superintendent of schools is relieved of those powers assumed by the Superintendent, and shall provide support and assistance to the Superintendent in the exercise of those powers. The Superintendent shall also request that the County Office Fiscal Crisis and Management Assistance Team identify the circumstances that led to the ineffectiveness of the county superintendent of schools in resolving the financial problems of the school district, and shall require the county office of education to demonstrate, in a manner determined by the Superintendent, remediation of those deficiencies. In addition to the actions taken by the county superintendent, the Superintendent of Public Instruction shall take further actions to ensure the long-term fiscal stability of the school district. The county office of education shall reimburse the Superintendent of Public Instruction for all of his or her costs in exercising his or her authority under this subdivision. The Superintendent of Public Instruction shall promptly notify the county superintendent of schools, the county board of education, the superintendent of the school district, the governing board of the school district, the appropriate policy and fiscal committees of each house of the Legislature, and the Department of Finance of his or her decision to exercise the authority of the county superintendent of schools.

SEC. 15.

Section 42127.9 of the Education Code is amended to read:

42127.9.

(a) No later than five days after a school district receives notice of any change or changes adopted by the county superintendent of schools in the school district's budget pursuant to subdivision (b) of Section 42127.3, subdivision (e) of Section 42127.6, or subdivision (b) of Section 42131, the governing board of the school district may submit an appeal to the Superintendent of Public Instruction, based upon the contention that the change or changes would do one or more of the following:

(1) Exceed the financial or program changes necessary to allow the school district to meet its financial obligations in the current fiscal year and with regard to its multiyear financial commitments. It is the intent of the Legislature that any change or changes adopted by the county superintendent of schools in a school district's budget minimize, to the extent possible, any impact upon the educational program of the school district.

(2) Require reductions that are unnecessary in view of other reductions that are proposed by the governing board of the school district and that reasonably can be expected to be realized.

(3) Make one or more changes in the school district's operations that are inconsistent with any provision of state or federal law.

(b) No later than five days after receiving that appeal, the Superintendent of Public Instruction, with the concurrence of the president of the state board or the president's designee, shall deny or uphold the appeal. If the appeal is denied, the school district shall implement the change or changes adopted by the county superintendent of schools. If the appeal is upheld, the Superintendent of Public Instruction may revise the change or changes adopted by the county superintendent of schools or

issue guidelines governing the manner in which the governing board of the school district or the county superintendent of schools shall be required to change the school district budget.

SEC. 16.

Chapter 6.5 (commencing with Section 42160) is added to Part 24 of Division 3 of Title 2 of the Education Code, to read:

CHAPTER 6.5. School Districts in Financial Distress

42160.

(a) For the 2018–19 fiscal year, by March 1, 2019, the Oakland Unified School District, in collaboration with and with the concurrence of the Alameda County Superintendent of Schools and the County Office Fiscal Crisis and Management Assistance Team, shall do both of the following:

(1) Update or develop short- and long-term financial plans based on reasonable and accurate assumptions and current and past year expenditure data.

(2) Review and update school district facilities construction plans to ensure that costs are reasonable, accurate, and align with long-term financial plans for fiscal solvency.

(b) Beginning with the 2019–20 fiscal year, the Budget Act shall include an appropriation for the Oakland Unified School District, if the school district complies with the terms specified in subdivisions (a) and (c), in the following amounts:

(1) For the 2019–20 fiscal year, up to 75 percent of the school district’s projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(2) For the 2020–21 fiscal year, up to 50 percent of the school district’s projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(3) For the 2021–22 fiscal year, up to 25 percent of the school district’s projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(c) Disbursement of funds specified in subdivision (b) shall be contingent on the Oakland Unified School District’s completion of activities specified in the prior year Budget Act to improve the school district’s fiscal solvency. These activities may include, but are not limited to, all of the following:

(1) Completion of comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability.

(2) Adoption and implementation of necessary budgetary solutions, including the consolidation of school sites.

(3) Completion and implementation of multiyear, fiscally solvent budgets and budget plans.

(4) Qualification for positive certification pursuant to Article 3 (commencing with Section 42130) of Chapter 6.

(5) Sale or lease of surplus property.

(6) Growth and maintenance of budgetary reserves.

(7) Approval of school district budgets by the Alameda County Superintendent of Schools.

(d) Funds described in subdivision (b) shall be allocated to Oakland Unified School District upon the certification of the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Alameda County Superintendent of Schools, to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance that the activities described in subdivision (c), as specified in the prior year Budget Act, have been completed. Additionally, by March 1 of each year, through March 1, 2021, the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Alameda County Superintendent of Schools, shall report to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance the progress that Oakland Unified School District has made to complete the activities described in subdivision (c), as specified in the prior year Budget Act.

(e) The activities described in subdivision (c) shall be determined in the annual Budget Act based on joint recommendations from the County Office Fiscal Crisis and Management Assistance Team and the Alameda County Superintendent of Schools. These recommendations shall be submitted to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance by March 1 of each fiscal year, through March 1, 2021, in conjunction with the certification described in subdivision (d).

42161.

(a) For the 2018–19 fiscal year, the Inglewood Unified School District shall do both of the following:

(1) Meet the requirements for qualified or positive certification for the school district’s second interim report pursuant to Article 3 (commencing with Section 42130) of Chapter 6.

(2) Complete comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability.

(b) Beginning with the 2019–20 fiscal year, the Budget Act shall include an appropriation for the Inglewood Unified School District, if the school district complies with the terms specified in subdivisions (a) and (c), in the following amounts:

(1) For the 2019–20 fiscal year, up to 75 percent of the school district’s projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(2) For the 2020–21 fiscal year, up to 50 percent of the school district’s projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(3) For the 2021–22 fiscal year, up to 25 percent of the school district’s projected operating deficit, as determined by the County Office Fiscal Crisis and Management Assistance Team, with concurrence with the Department of Finance.

(c) Disbursement of funds specified in subdivision (b) shall be contingent on the Inglewood Unified School District’s completion of activities specified in the prior year Budget Act to improve the school district’s fiscal solvency. These activities may include, but are not limited to, all of the following:

(1) Completion of comprehensive operational reviews that compare the needs of the school district with similar school districts and provide data and recommendations regarding changes the school district can make to achieve fiscal sustainability.

(2) Adoption and implementation of necessary budgetary solutions, including the consolidation of school sites.

(3) Completion and implementation of multiyear, fiscally solvent budgets and budget plans.

(4) Qualification for positive certification pursuant to Article 3 (commencing with Section 42130) of Chapter 6.

(5) Sale or lease of surplus property.

(6) Growth and maintenance of budgetary reserves.

(7) Approval of school district budgets by the Los Angeles County Superintendent of Schools.

(d) Funds described in subdivision (b) shall be allocated to Inglewood Unified School District upon the certification of the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Los Angeles County Superintendent of Schools, to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance that the activities described in subdivision (c), as specified in the prior year Budget Act, have been completed. Additionally, by March 1 of each year, through March 1, 2021, the County Office Fiscal Crisis and Management Assistance Team, with concurrence from the Los Angeles County Superintendent of Schools, shall report to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance the progress that Inglewood Unified School District has made to complete the activities described in subdivision (c), as specified in the prior year Budget Act.

(e) The activities described in subdivision (c) shall be determined in the annual Budget Act based on joint recommendations from the County Office Fiscal Crisis and Management Assistance Team and the Los Angeles County Superintendent of Schools. These recommendations shall be submitted to the Assembly Committee on Budget, Senate Committee on Budget and Fiscal Review, and the Department of Finance by March 1 of each fiscal year, through March 1, 2021, in conjunction with the certification described in subdivision (d).

(f) Until June 30, 2019, the Superintendent may waive the reimbursement determination specified in Section 18054 of Title 5 of the California Code of Regulations for Inglewood Unified School District's 2016-17 fiscal year California state preschool program contract in order to resolve the school district's outstanding child development reimbursement liability to the state.

SEC. 17.

Section 44416 of the Education Code is amended to read:

44416.

(a) For the 2018-19 fiscal year, the sum of fifty million dollars (\$50,000,000) is hereby appropriated from the General Fund to the commission to establish the Local Solutions Grant Program to provide one-time competitive grants to local educational agencies to develop and implement new, or expand existing, locally identified solutions that address a local need for special education teachers. This funding shall be available for encumbrance through June 30, 2023, and available for liquidation through June 30, 2028.

(b) (1) A grant shall be up to twenty thousand dollars (\$20,000) per teacher participant that the identified solution proposes to support, matched by that local educational agency or consortium on a dollar-for-dollar basis. Grant program funding may be used for local efforts to recruit, develop support systems for, and retain special education teachers that include, but are not limited to, teacher career pathways, signing bonuses for newly credentialed teachers who earn an education specialist

credential, mentors for existing teachers, professional learning communities, service awards, teacher service scholarships, student debt payment, living stipends for newly credentialed teachers who earn an education specialist credential, or other solutions that address a local need for special education teachers.

(2) (A) A teacher participant who receives a teacher service scholarship, signing bonus, or student debt payment shall agree to teach at a school within the jurisdiction of the grant recipient and work as an education specialist serving a caseload of pupils who receive special education services in a special education setting for four years, and the teacher participant shall have five years to meet that obligation.

(B) A teacher participant who fails to complete the service obligation described in subparagraph (A) shall reimburse the sponsoring grant recipient the amount of grant funding received as a teacher service scholarship, signing bonus, or student debt payment. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the teacher participant taught at least one year, but less than the required four years, at the sponsoring grant recipient.

(C) If a teacher participant is unable to complete a school year of teaching, that school year may still be counted toward the required four complete school years if any of the following occur:

(i) The teacher participant has completed at least one-half of the school year.

(ii) The employer deems the teacher participant to have fulfilled his or her contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(iii) The teacher participant was not able to teach due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the next succeeding school year.

(iv) The teacher participant has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2061 et seq.) or similar state law.

(v) The teacher participant was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(D) If the commission determines or is informed that a teacher participant who fails to complete the service obligation described in subparagraph (A), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the teacher participant and the grant recipient. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the teacher participant taught at least one year, but less than four years, at the sponsoring grant recipient.

(E) Upon confirming the amount to be recovered from the grant recipient pursuant to subparagraph (D), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or a program operated by a joint powers authority that does not receive principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the teacher

participant taught and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(F) An amount recovered by the commission or deducted by the Controller pursuant to subparagraph (E) shall be deposited into the Proposition 98 Reversion Account.

(G) Grant recipients may recover from a teacher participant who fails to complete the service obligation described in subparagraph (A) the amount of grant funding received as a teacher service scholarship, signing bonus, or student debt payment. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the teacher participant taught at least one year, but less than four years, at the sponsoring grant recipient.

(c) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(d) A grant recipient shall provide a 100-percent match of grant funding to support, complement, or enhance the local solution identified in subdivision (h). The match shall be in the form of one or both of the following:

(1) One dollar (\$1) for every one dollar (\$1) of grant funding received.

(2) An in-kind match.

(e) An applicant may consist of one or more, or any combination, of the following:

(1) A school district.

(2) A county office of education.

(3) A charter school.

(4) A regional occupational center or program operated by a joint powers authority.

(f) To receive a grant, an applicant shall submit to the commission an application at a time, in a manner, and containing information prescribed by the commission.

(g) A grant recipient shall not use funds from a Local Solutions Grant Program award to support teacher candidates participating in a program supported by an award from the Teacher Residency Grant Program established pursuant to Section 44415.

(h) When selecting grant recipients, the commission shall require applicants to demonstrate a local need for special education teachers and present a plan that proposes one or more solutions that address that local need.

(i) For purposes of administering the grant program pursuant to this section, the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to annually report the status and progress of the identified solution and to submit a final implementation report within five years of receiving a grant award that describes the outcomes and effectiveness of the identified solution.

(3) Allocate 90 percent of funding to each grant recipient at the time of the initial grant award and allocate the final 10 percent of grant funding upon receipt of the final implementation report. If the

grantee fails to provide the final implementation report pursuant to paragraph (2), the grantee shall not receive the final 10 percent of the grant award.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2017-18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2017-18 fiscal year.

SEC. 18.

Section 44418 of the Education Code is amended to read:

44418.

This article shall remain in effect only until January 1, 2029, and as of that date is repealed.

SEC. 19.

Section 46392 of the Education Code is amended to read:

46392.

(a) If the average daily attendance of a school district, county office of education, or charter school during a fiscal year has been materially decreased during a fiscal year because of any of the following, the fact shall be established to the satisfaction of the Superintendent by affidavits of the members of the governing board or body of the school district, county office of education, or charter school and the county superintendent of schools:

- (1) Fire.
- (2) Flood.
- (3) Impassable roads.
- (4) Epidemic.
- (5) Earthquake.
- (6) The imminence of a major safety hazard as determined by the local law enforcement agency.
- (7) A strike involving transportation services to pupils provided by a nonschool entity.
- (8) An order provided for in Section 41422.

(b) (1) In the event a state of emergency is declared by the Governor in a county, a decrease in average daily attendance in the county below the approximate total average daily attendance that would have been credited to a school district, county office of education, or charter school had the state of emergency not occurred shall be deemed material. The Superintendent shall determine the length of the period during which average daily attendance has been reduced by the state of emergency.

(2) The period determined by the Superintendent shall not extend into the next fiscal year following the declaration of the state of emergency by the Governor, except upon a showing by a school district, county office of education, or charter school, to the satisfaction of the Superintendent, that extending

the period into the next fiscal year is essential to alleviate continued reductions in average daily attendance attributable to the state of emergency.

(3) Notwithstanding any other law, the Superintendent shall extend through the 2018–19 fiscal year the period during which it is essential to alleviate continued reductions in average daily attendance attributable to a state of emergency declared by the Governor in October 2017, for a school district where no less than 5 percent of the residences within the school district or school district facilities were destroyed by the qualifying emergency.

(c) The average daily attendance of the school district, county office of education, or charter school for the fiscal year shall be estimated by the Superintendent in a manner that credits to the school district, county office of education, or charter school for determining the apportionments to be made to the school district, county office of education, or charter school from the State School Fund approximately the total average daily attendance that would have been credited to the school district, county office of education, or charter school had the emergency not occurred or had the order not been issued.

(d) This section applies to any average daily attendance that occurs during any part of a school year.

SEC. 20.

Section 47606.5 of the Education Code is amended to read:

47606.5.

(a) On or before July 1, 2015, and each year thereafter, a charter school shall update the goals and annual actions to achieve those goals identified in the charter petition pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, as applicable, using the template for the local control and accountability plan and annual update to the local control and accountability plan adopted by the state board pursuant to Section 52064 and shall include all of the following:

(1) A review of the progress toward the goals included in the charter, an assessment of the effectiveness of the specific actions described in the charter toward achieving the goals, and a description of changes to the specific actions the charter school will make as a result of the review and assessment.

(2) A listing and description of the expenditures for the fiscal year implementing the specific actions included in the charter as a result of the reviews and assessment required by paragraph (1).

(b) For purposes of the review required by subdivision (a), a governing body of a charter school may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(c) To the extent practicable, data reported pursuant to this section shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(d) The charter school shall consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the local control and accountability plan and annual update to the local control and accountability plan.

SEC. 21.

Section 52060 of the Education Code is amended to read:

52060.

(a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school district and each school within the school district, all of the information specified in the template adopted by the state board pursuant to Section 52064.

(d) All of the following are state priorities for purposes of a school district's local control and accountability plan:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as defined in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or Section 60811.4, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(C) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(D) The English learner reclassification rate.

(E) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(F) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, the governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(g) The governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

SEC. 22.

Section 52061 of the Education Code is amended to read:

52061.

On or before July 1, 2015, and each year thereafter, a school district shall update the local control and accountability plan. The annual update shall be developed using a template adopted by the state board pursuant to Section 52064 and shall include all of the information specified in the template.

SEC. 23.

Section 52064 of the Education Code is amended to read:

52064.

(a) On or before March 31, 2014, the state board shall adopt a template for a local control and accountability plan and an annual update to the local control and accountability plan for the following purposes:

(1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.

(2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.

(3) For use by charter schools to meet the requirements of Section 47606.5.

(b) On or before January 31, 2020, the template adopted by the state board shall require the inclusion of all of the following information:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605, subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, subdivision (d) of Section 52060, or subdivision (d) of Section 52066, as applicable, and for any additional local priorities identified by the governing board of the school district, the county board of education, or in the charter school petition. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in subdivision (a) of Section 52052.

(2) A description of the specific actions the school district, county office of education, or charter school will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1). The specific actions shall not supersede the provisions of existing local collective bargaining agreements, if any, within the jurisdiction of the school district, county office of education, or charter school.

(3) One or more summary tables listing and describing the budgeted expenditures for the ensuing fiscal year implementing each specific action included in the local control and accountability plan, including expenditures for the ensuing fiscal year that will serve unduplicated pupils, as defined in Section 42238.02, and pupils redesignated as fluent English proficient. The summary table or tables shall include both of the following:

(A) The total overall expenditures for all specific actions included in the local control and accountability plan, broken down by personnel and nonpersonnel expenditures.

(B) The subtotals of expenditures for each specific action included in the local control and accountability plan broken down into the following categories:

(i) Funds apportioned under the local control funding formula pursuant to Section 42238.02.

(ii) All other state funds.

(iii) All local funds.

(iv) All federal funds.

(4) One or more summary tables listing and describing the specific actions and budgeted expenditures in paragraph (3) that contribute to the demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07, grouped as follows:

(A) Specific actions and budgeted expenditures provided to all pupils on a districtwide, countywide, or charterwide basis.

(B) Specific actions and budgeted expenditures that are targeted only to one or more unduplicated pupil subgroups. For these specific actions, the description shall specify the unduplicated pupil subgroup or subgroups that are targeted by each specific action and, if not provided at all schools, the school or schools where the specific action is provided.

(C) Only for school districts and county offices of education that operate more than one schoolsite, specific actions and budgeted expenditures provided to all pupils on a schoolwide basis, but only at schools serving certain grade spans or only at one or more schools. For these specific actions, the description shall specify the school or schools at which the specific action is provided.

(5) An estimate of the funds to be apportioned in the ensuing fiscal year on the basis of the number and concentration of unduplicated pupils and calculation of the percent the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(6) A demonstration that the school district, county office of education, or charter school will increase or improve services for unduplicated pupils in the ensuing fiscal year in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils, consistent with regulations adopted by the state board pursuant to Section 42238.07.

(7) A review of the progress toward the goals included in the existing local control and accountability plan, a review of any changes in the applicability of the goals, an assessment of the effectiveness of the specific actions described in the existing local control and accountability plan toward achieving the goals, a description of changes to the specific actions and related expenditures the school district, county office of education, or charter school will make as a result of the review and assessment, and an update on progress implementing the specific actions in the current fiscal year, including estimated actual expenditures for the specific actions.

(8) A plan summary that includes general information about the school district, county office of education, or charter school and highlights of the local control and accountability plan and annual update to the local control and accountability plan, including reflections on annual performance on the California School Dashboard authorized in Section 52064.5 and other local data.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) (1) The template for the local control and accountability plan and annual update to the local control and accountability plan shall, to the greatest extent practicable, use language that is understandable and accessible to parents. The state board shall include instructions for school

districts, county offices of education, and charter schools to complete the local control and accountability plan and annual update to the local control and accountability plan consistent with the requirements of this section. The state board may include more technical language in the instructions.

(2) Except as provided in paragraph (3), the state board shall not require school districts, county offices of education, or charter schools to provide any information in addition to the information required pursuant to subdivision (b).

(3) The state board may require the inclusion of additional information in the template in order to meet requirements of federal law.

(e) (1) The process of developing and annually updating the local control and accountability plan should support school districts, county offices of education, and charter schools in comprehensive strategic planning, accountability, and improvement across the state priorities and any locally identified priorities through meaningful engagement with local stakeholders.

(2) In developing the template for the local control and accountability plan and annual update to the local control and accountability plan, the state board shall ensure that school districts, county offices of education, and charter schools track and report their progress annually on all state priorities, including the applicable metrics specified within each state priority and, for charter schools, in accordance with Section 47606.5.

(3) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools should prioritize the focus of the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan within one or more state priorities. The instructions shall further specify that school districts, county offices of education, and charter schools should consider their performance on the state and local indicators, including their locally collected and reported data for the local indicators, that are included in the California School Dashboard authorized in Section 52064.5 in determining whether and how to prioritize the goals, specific actions, and related expenditures included within the local control and accountability plan and annual update to the local control and accountability plan.

(4) The instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that have a numerically significant English learner pupil subgroup shall include specific actions in the local control and accountability plan related to, at a minimum, the language acquisition programs, as defined in Section 306, provided to pupils and professional development activities specific to English learners.

(f) (1) Except as provided in subdivision (g), the state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(2) Notwithstanding paragraph (1), the state board may adopt or revise the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This paragraph shall become inoperative on January 31, 2019.

(g) Notwithstanding subdivision (f), revisions of the template for the local control and accountability plan and annual update to the local control and accountability plan necessary to implement Assembly Bill 1808 and Assembly Bill 1840 of the 2017–18 Regular Session shall not be subject to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may make necessary revisions to the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(h) Revisions to a template shall be approved by the state board by January 31 before the fiscal year during which the template is to be used by a school district, county superintendent of schools, or charter school.

(i) In developing the template, the state board shall take steps to minimize duplication of effort at the local level to the greatest extent possible. The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

(j) Notwithstanding any other law, the templates developed by the state board pursuant to this section, as it read on June 30, 2018, shall continue in effect until the state board adopts a new template pursuant to subdivision (b) on or before January 31, 2020, except that the state board may adopt revisions to those templates pursuant to subdivision (g) that are necessary to implement Assembly Bill 1808 of the 2017–18 Regular Session or meet federal requirements.

SEC. 24.

Section 52065 of the Education Code is amended to read:

52065.

(a) The superintendent of a school district shall post prominently on the homepage of the Internet Web site of the school district any local control and accountability plan approved by the governing board of the school district, and any updates or revisions to a local control and accountability plan approved by the governing board of the school district.

(b) A county superintendent of schools shall do all of the following:

(1) Post prominently on the homepage of the Internet Web site of the county office of education any local control and accountability plan approved by the county board of education, and any updates or revisions to a local control and accountability plan approved by the county board of education.

(2) Post all local control and accountability plans submitted by school districts, or links to those plans, on the Internet Web site of the county office of education.

(3) Transmit or otherwise make available to the Superintendent all local control and accountability plans submitted to the county superintendent of schools by school districts and the local control and accountability plan approved by the county board of education.

(c) The Superintendent shall post links to all local control and accountability plans approved by the governing boards of school districts and county boards of education on the Internet Web site of the department.

SEC. 25.

Section 52066 of the Education Code is amended to read:

52066.

(a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, all of the information specified in the template adopted by the state board pursuant to Section 52064.

(d) All of the following are state priorities for purposes of a county board of education's local control and accountability plan:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to Section 60811.3 for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(C) The percentage of English learner pupils who make progress toward English proficiency as measured by the English Language Proficiency Assessments for California or any subsequent assessment of English proficiency, as certified by the state board.

(D) The English learner reclassification rate.

(E) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(F) The percentage of pupils who demonstrate college preparedness pursuant to the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (b) of Section 52064, a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subdivision (b) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on the California School Dashboard maintained by the department pursuant to Section 52064.5.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

(i) (1) Beginning with the 2018–19 fiscal year and in each fiscal year thereafter, a county superintendent of schools shall prepare a summary of how the county superintendent of schools plans to support school districts and schools within the county in implementing the provisions of this article and present the summary to the county board of education at the same public meeting required under paragraph (2) of subdivision (b) of Section 52068. The summary shall include, but is not necessarily limited to, all of the following:

(A) A description of how the county superintendent of schools will support the continuous improvement of all school districts within the county, including steps that the county superintendent of schools plans to take to collaborate with the California Collaborative for Educational Excellence, the department, the lead agencies specified in Sections 52073 and 52073.1, and other county superintendents of schools to support school districts and schools within the county in implementing the provisions of this article.

(B) A description of how the county superintendent of schools will assist each school district identified for technical assistance pursuant to subdivision (c) of Section 52071 in improving pupil outcomes, including, at a minimum, a clear identification of the activities being performed by the county office of education and the source of funding for those activities. This description shall include the actions the school district will take independent of the county superintendent of schools to improve pupil outcomes pursuant to paragraph (3) of subdivision (c) of Section 52071.

(C) One or more goals for each of the following:

(i) Completing the review of local control and accountability plans submitted by school districts pursuant to Section 52070.

(ii) Providing technical assistance to school districts pursuant to subdivisions (a) and (b) of Section 52071.

(iii) Providing any other support to school districts and schools within the county in implementing the provisions of this article.

(D) One or more metrics to assess progress toward each goal identified in subparagraph (C).

(E) Specific actions and related expenditures to achieve each goal identified in subparagraph (C), to the extent this information is not provided pursuant to subparagraph (B). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(2) Commencing with the 2019–20 fiscal year and in each fiscal year thereafter, the county superintendent of schools shall submit the summary described in this subdivision with its local control and accountability plan pursuant to subdivision (a) of Section 52070.5.

(3) This subdivision shall not apply to a county superintendent of schools with jurisdiction over a single school district.

(4) On or before November 1 of each year, the department shall compile the information provided by county superintendents of schools pursuant to subparagraphs (A) and (B) of paragraph (1) into a single document and shall make this report available to the public on the department's Internet Web site.

SEC. 26.

Section 52067 of the Education Code is amended to read:

52067.

On or before July 1, 2015, and each year thereafter, a county board of education shall update the local control and accountability plan. The annual update shall be developed using a template adopted by the state board pursuant to Section 52064 and shall include all of the information specified in the template.

SEC. 27.

Section 52074 of the Education Code is amended to read:

52074.

(a) The California Collaborative for Educational Excellence is hereby established.

(b) The purpose of the California Collaborative for Educational Excellence is to advise and assist school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan adopted pursuant to this article. The California Collaborative for Educational Excellence shall achieve this purpose by facilitating continuous improvement for local educational agencies within California's system of public school support.

(c) The California Collaborative for Educational Excellence shall be governed by a board consisting of the following five members:

(1) The Superintendent or his or her designee.

(2) The president of the state board or his or her designee.

(3) A county superintendent of schools appointed by the Senate Committee on Rules.

(4) A teacher appointed by the Speaker of the Assembly.

(5) A superintendent of a school district appointed by the Governor.

(d) The governing board of the California Collaborative for Educational Excellence shall select, and direct the administrative agent provided for in subdivision (e) to hire, the executive director of the California Collaborative for Educational Excellence and provide policy and program direction.

(e) The department, in consultation with the executive director of the state board and with the approval of the Department of Finance, shall contract with a local educational agency, or consortium of local educational agencies, to serve as the administrative agent for the California Collaborative for Educational Excellence. The administrative agent shall operate all aspects of the California Collaborative for Educational Excellence in accordance with the terms of its contract or contracts with the State of California, applicable statutes, and the policy and program direction of the governing board of the California Collaborative for Educational Excellence. The Superintendent shall apportion funds appropriated for the California Collaborative for Educational Excellence to the administrative agent.

(f) Pursuant to the policy and program direction of the governing board of the California Collaborative for Educational Excellence, the administrative agent shall contract with individuals, local educational agencies, or organizations with the expertise, experience, and a record of success to carry out the purposes of this article. The areas of expertise, experience, and record of success shall include, but are not limited to, all of the following:

(1) State priorities as described in subdivision (d) of Section 52060, including the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5.

(2) Improving the quality of teaching.

(3) Improving the quality of school district and schoolsite leadership.

(4) Successfully addressing the needs of special pupil populations, including, but not limited to, English learners, pupils eligible to receive a free or reduced-price meal, pupils in foster care, and individuals with exceptional needs.

(g) (1) The California Collaborative for Educational Excellence may accept a request or referral to advise and assist a school district, county superintendent of schools, or charter school pursuant to paragraph (2) or in either of the following circumstances:

(A) If the county superintendent of schools of the county in which the school district or charter school is located determines, following the provision of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the geographic lead agency of that county identified pursuant to Section 52073 agrees, that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district or charter school accomplish the goals described in the local control and accountability plan adopted pursuant to this article.

(B) If the Superintendent determines that the advice and assistance of the California Collaborative for Educational Excellence is necessary to help the school district, county superintendent of schools, or charter school accomplish the goals set forth in the local control and accountability plan adopted pursuant to this article.

(2) (A) If a school district receives an emergency apportionment pursuant to Article 2 (commencing with Section 41320) of Chapter 3 of Part 24 of Division 3, the school district shall be deemed to have been referred to the California Collaborative for Educational Excellence.

(B) If the California Collaborative for Educational Excellence provides assistance to a school district referred pursuant to this paragraph, the California Collaborative for Educational Excellence shall conduct a systemic review of the school district to identify needs and strategies to improve pupil

academic achievement, including, but not limited to, needs identified pursuant to Sections 52052, 52064.5, and 52071. Based on the results of the systemic review, the California Collaborative for Educational Excellence shall coordinate and facilitate the assistance provided to the school district by governmental agencies to provide coherent and effective support consistent with the purpose of the statewide system of support specified in Section 52059.5. The governmental agencies may include, among others, the department, the local county superintendent, the applicable geographic lead agency, and the County Office Fiscal Crisis and Management Assistance Team. It is the intent of the Legislature that no single governmental agency providing assistance in partnership with other governmental agencies bear the full cost of assistance.

(3) Outside of the processes described in paragraphs (1) and (2), a school district, county office of education, or charter school that requests the advice and assistance of the California Collaborative for Educational Excellence shall reimburse the California Collaborative for Educational Excellence for the cost of those services pursuant to authority provided in the annual Budget Act.

(h) To the extent authority is provided in the annual Budget Act, a school district at risk of qualifying for state intervention pursuant to subdivision (b) of Section 52072 shall have priority for direct technical assistance from the California Collaborative for Educational Excellence.

(i) In addition to the functions described in subdivision (g), the California Collaborative for Educational Excellence shall do both of the following:

(1) Facilitate professional development activities that increase the capacity of local educational agencies to improve pupil outcomes in alignment with state priorities pursuant to Section 52060 and to improve performance on the state and local indicators developed for the California School Dashboard pursuant to Section 52064.5. The California Collaborative for Educational Excellence shall provide professional development in partnership with state professional associations, nonprofit organizations, and public agencies. The governing board of the California Collaborative for Educational Excellence shall determine the extent of the training that is necessary to comply with this paragraph.

(2) Produce a professional development training calendar, to be posted on the California Collaborative for Educational Excellence's Internet Web site, that publicizes all of the professional development activities offered pursuant to paragraph (1) at the local, regional, and state levels.

(j) The individuals with whom the administrative agent enters into employment contracts to carry out the purposes of this article shall be deemed employees of the administrative agent and eligible for participation in either the State Teachers' Retirement System or the Public Employees' Retirement System, as appropriate to the nature of the work to be performed by the employees.

(k) Receipt of any revenues not appropriated by the Legislature to the California Collaborative for Educational Excellence shall be subject to approval by the governing board of the California Collaborative for Educational Excellence. The governing board of the California Collaborative for Educational Excellence shall ensure that all activities, regardless of fund source, are aligned with the purpose of the California Collaborative for Educational Excellence, as described in subdivision (b).

SEC. 28.

Section 60810 of the Education Code, as amended by Section 108 of Chapter 32 of the Statutes of 2018, is repealed.

SEC. 29.

Section 66093.4 is added to the Education Code, to read:

66093.4.

(a) It is the intent of the Legislature to affirm the ability of the University of California to provide services, benefits, and assistance to all students enrolled at the University of California.

(b) The University of California may provide services, benefits, and any other form of assistance aimed at furthering a student's educational success to all of its enrolled students who meet the eligibility requirements for any such program the University, or its campuses, establishes.

(c) The Legislature finds and declares that this section is a state law within the meaning of subdivision (d) of Section 1621 of Title 8 of the United States Code.

SEC. 30.

Section 78222 of the Education Code is amended to read:

78222.

(a) (1) The Student Equity and Achievement Program is hereby established.

(2) It is the intent of the Legislature that funds for the Student Equity and Achievement Program support the California Community Colleges in advancing the systemwide goal to boost achievement for all students with an emphasis on eliminating achievement gaps for students from traditionally underrepresented groups by doing of all of the following:

(A) Implementing activities and practices pursuant to the California Community College Guided Pathways Grant Program.

(B) Ensuring students complete their educational goals and a defined course of study.

(C) Providing quality curriculum, instruction, and support services to students who enter college deficient in English and mathematics to ensure these students complete a course of study in a timely manner.

(b) As a condition of the receipt of funds for purposes of this section, a district shall comply with all of the following:

(1) Maintain a student equity plan pursuant to Section 78220 to ensure equal educational opportunities and to promote student success for all students, regardless of race, gender, age, disability, or economic circumstances.

(2) Provide student matriculation services pursuant to Section 78212, including implementation of orientation, counseling and advising, referral to specialized student support services, and other education planning services needed to assist a student in making informed decisions about his or her educational goal and course of study and in developing an education plan. The Office of the Chancellor of the California Community Colleges shall establish guidelines on student matriculation services, including, but not limited to, the development of an education plan leading to a course of study. Notwithstanding any other law, students who are exempted from matriculation services pursuant to Section 78215 are not subject to the requirements of this paragraph.

(3) Adopt and implement placement policies consistent with the requirements of Section 78213.

(4) Provide all students with an education plan, which identifies courses, a sequence of courses, key progress milestones, and other requirements the student must complete to earn an associate degree, career technical education certificate, other community college certificate, or meet transfer

requirements. Notwithstanding any other provision of law, students who are exempted from having an education plan under Section 78215 are not subject to the requirement of this paragraph.

(5) Provide a report to the chancellor's office by January 1 of each year detailing how funding pursuant to this section was expended in the prior fiscal year and for what specific purposes. A district report shall also include an assessment of the progress in advancing the goals identified in paragraph (2) of subdivision (a).

(c) (1) If the total amount of funds appropriated for purposes of this section is equal to or greater than the amount of funds appropriated in the 2017–18 fiscal year for the Student Success and Support Program pursuant to Section 78212, the student equity plans pursuant to Section 78221, and the Student Success for Basic Skills program pursuant to Section 88815, the chancellor shall allocate to each district an amount equal to or greater than the amount allocated in the 2017–18 fiscal year.

(2) If the total amount of funds appropriated for purposes of this section is less than the amount of funds appropriated in the 2017–18 fiscal year for the Student Success and Support Program pursuant to Section 78212, the student equity plans pursuant to Section 78221, and the Student Success for Basic Skills program pursuant to Section 88815, the chancellor shall allocate to each district the pro rata share of the amount appropriated based on the amount allocated to each district in the 2017–18 fiscal year.

(3) The Board of Governors of the California Community Colleges may require districts or colleges to provide a local fund match for funding appropriated for purposes of this section.

(4) The chancellor shall provide guidance to districts regarding eligible expenditures and activities and integrated planning to ensure funding for the Student Equity and Achievement Program is used to support the goal of eliminating disparities pursuant to paragraph (2) of subdivision (a). It is the intent of the Legislature that colleges prioritize funding for high-need and disadvantaged students, as those terms are defined in subdivision (c) of Section 78221.

(5) (A) The chancellor may allocate up to 5 percent of the total funds appropriated for the purposes of this program for state administrative operations to carry out the intent of this section.

(B) Of the amount allocated pursuant to subparagraph (A), the chancellor shall allocate to a community college district no less than the amount that was provided to a district in the 2017–18 fiscal year pursuant to paragraph (1) of subdivision (b) of Section 88815 to carry out faculty and staff development to improve curriculum, instruction, student services, and program practices in the areas of basic skills and English as a second language program.

(6) By April 1 of each year, the chancellor's office shall submit a systemwide report to the Legislature and Department of Finance that provides a summary of the district reports referenced in paragraph (5) of subdivision (b). A report to the Legislature pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(d) (1) All districts receiving an allocation of funds pursuant to subdivision (c) shall comply with the requirements of Section 78214. In meeting this requirement, the Student Success and Support Program referenced in Section 78214 shall instead mean the Student Equity and Achievement Program.

(2) For purposes of Section 87482.3, the Student Success and Support Program shall instead mean the Student Equity and Achievement Program.

SEC. 31.

Section 84750.41 of the Education Code is amended to read:

84750.41.

(a) There is hereby established the Community College Student Success Funding Formula Oversight Committee for the purpose of continuously evaluating and reviewing the implementation of the student success funding formula established pursuant to Section 84750.4.

(b) (1) (A) The committee shall consist of 12 members, as follows:

(i) Four members shall be appointed by the Senate Committee on Rules and shall serve at the pleasure of the Senate Committee on Rules. At least one of these members shall be employed by a community college district in a classified position.

(ii) Four members shall be appointed by the Speaker of the Assembly and shall serve at the pleasure of the Speaker of the Assembly. At least one of these members shall be a faculty member from a community college district.

(iii) Four members shall be appointed by the Governor and shall serve a four-year term. At least one of these members shall be a community college administrator.

(B) In appointing members, the appointing authority shall make every effort to ensure both of the following:

(i) There is a geographic balance of representation on the committee as a whole, with members from the northern and southern and urban and rural areas of the state.

(ii) The membership reflects a diverse expertise in higher education, taking into consideration factors, including, but not limited to, socioeconomic background and professional experience, which may include experience working in, or serving, disadvantaged communities.

(C) For members with four-year terms, vacancies on the committee shall be filled by the applicable appointing authority for the unexpired portions of the terms in which they occur.

(2) The committee shall elect one of its members as chairperson, who shall preside at all meetings, and a vice chairperson who shall preside in absence of the chairperson.

(3) Members of the committee shall serve without compensation, but the chancellor's office may reimburse members for their actual and necessary traveling expenses while on official business. Each member shall also receive one hundred dollars (\$100) for each day he or she is attending to official business.

(4) Any action taken pursuant to this section to develop a report pursuant to subdivision (c) by the committee is exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(5) All meetings of the committee shall be subject to Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code. The chancellor's office shall provide the committee with guidance and assistance, as necessary, to ensure the committee is in compliance with the requirements of this paragraph.

(6) (A) Notwithstanding Article 4.7 (commencing with Section 1125) of Chapter 1 of Division 4 of Title 1 of the Government Code, related to incompatible activities, Section 1099 of the Government Code, related to incompatible offices, or any other law, a member of the committee shall not be considered to hold an incompatible office or to be engaged in activities inconsistent or incompatible with his or her duties as a result of his or her employment or affiliation with the committee.

(B) Committee members shall not include any state legislator, member of the Board of Governors of the California Community Colleges, a trustee of a local governing board of a community college district, legislative staff, or staff from the Department of Finance.

(7) The committee shall arrive at a consensus as a condition of having a specified finding or recommendation included in the reports described in subdivision (c).

(c) (1) The committee shall review and make recommendations on the following aspects of the funding formula:

(A) The first priority of the committee shall be to review and make recommendations to the Legislature and the Department of Finance on or before January 1, 2020, on the following elements and their inclusion in the supplemental allocation of the funding formula including a proposed implementation plan.

(i) First-generation college students, including a timeline for data collection and incorporation into the funding formula by no later than the 2022–23 fiscal year.

(ii) The definition of a low-income student in subdivision (e) of Section 84750.4, and whether to adjust the point system to better reflect low-income students in regions of the state with a high cost of living.

(iii) Incoming students' level of academic proficiency, which may include, but is not limited to, measures such as performance on a nationally recognized high school assessment, high school coursework, high school grades or grade point average, or achievement of a high school diploma.

(B) The other priority of the committee shall be to review and make recommendations to the Legislature and the Department of Finance on or before June 30, 2021, on the following elements and their inclusion in the applicable allocation of the funding formula, including an implementation plan:

(i) Noncredit instruction and instructional service agreements, and whether these should be incorporated as part of the base and supplemental allocations of the funding formula.

(ii) How district allocations could be adjusted if a recession were to occur.

(2) Nothing in this subdivision shall preclude the committee from submitting interim reports.

(d) (1) The chancellor's office shall issue a request for application to select the staff to support the work on the committee. Notwithstanding any other law, a representative from each of the Assembly, the Senate, and the Department of Finance shall jointly evaluate the submitted applications and select the application to staff the work on the committee. The chancellor's office shall execute and fund the contract with the selected applicant pursuant to the final selection.

(2) It is the intent of the Legislature that the chancellor's office will share data and information with the committee and the selected applicant related to the work of the committee.

(e) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.

SEC. 32.

Section 17581.6 of the Government Code is amended to read:

17581.6.

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

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

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

(2) The Superintendent of Public Instruction shall, in the month of November of each year, apportion block grant funding appropriated pursuant to Item 6100-296-0001 of Section 2.00 of the annual Budget Act to all school districts, county offices of education, and charter schools that submitted letters requesting funding in that fiscal year according to the provisions of that item.

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

(d) Commencing with the 2017-18 fiscal year, the per unit average daily attendance funding rates specified in the provisions of Item 6100-296-0001 of the annual Budget Act shall be adjusted annually by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

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

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

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

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

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

(4) California Assessment of Student Performance and Progress (CAASPP) (14-TC-01 and 14-TC-04; Chapter 489 of the Statutes of 2013; and Chapter 32 of the Statutes of 2014).

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

- (6) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes of 1994).
- (7) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998; and Chapter 78 of the Statutes of 1999).
- (8) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes of 2002).
- (9) Child Abuse and Neglect Reporting (01-TC-21; Chapters 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters 133 and 754 of the Statutes of 2001).
- (10) Collective Bargaining (CSM 4425; Chapter 961 of the Statutes of 1975).
- (11) Comprehensive School Safety Plans (98-TC-01 and 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of the Statutes of 1999; and Chapter 828 of the Statutes of 2003).
- (12) Consolidation of Annual Parent Notification/Schoolsite Discipline Rules/Alternative Schools (CSM 4488, CSM 4461, 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469 of the Statutes of 1981; Chapter 459 of the Statutes of 1985; Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988; Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997; Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the Statutes of 1999, First Extraordinary Session; Chapter 73 of the Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).
- (13) Consolidation of Law Enforcement Agency Notification and Missing Children Reports (CSM 4505; Chapter 1117 of the Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of 1986; and Chapter 832 of the Statutes of 1999).
- (14) Consolidation of Notification to Teachers: Pupils Subject to Suspension or Expulsion I and II, and Pupil Discipline Records (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).
- (15) Consolidated Suspensions, Expulsions, and Expulsion Appeals (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 489 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) (CSM 4455; Chapter 1253 of the Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498 of the Statutes of 1983; Chapter 622 of the Statutes of 1984; Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256, and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes of 1994) (CSM 4456; Chapter 965 of the Statutes of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987) (CSM 4463; Chapter 1253 of the Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).
- (16) County Office of Education Fiscal Accountability Reporting (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 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).

- (17) Criminal Background Checks (97-TC-16; Chapters 588 and 589 of the Statutes of 1997).
- (18) Criminal Background Checks II (00-TC-05; Chapters 594 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of 1999).
- (19) Developer Fees (02-TC-42; Chapter 955 of the Statutes of 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983; Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter 1228 of the Statutes of 1994).
- (20) Differential Pay and Reemployment (99-TC-02; Chapter 30 of the Statutes of 1998).
- (21) Expulsion of Pupil: Transcript Cost for Appeals (SMAS; Chapter 1253 of the Statutes of 1975).
- (22) Financial and Compliance Audits (CSM 4498 and CSM 4498-A; Chapter 36 of the Statutes of 1977).
- (23) Graduation Requirements (CSM 4181; Chapter 498 of the Statutes of 1983).
- (24) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter 1184 of the Statutes of 1975).
- (25) Immunization Records (SB 90-120; Chapter 1176 of the Statutes of 1977).
- (26) Immunization Records—Mumps, Rubella, and Hepatitis B (98-TC-05; 14-MR-04; Chapter 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979; Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995; Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882 of the Statutes of 1997; and Chapter 434 of the Statutes of 2010).
- (27) Immunization Records—Pertussis (11-TC-02; Chapter 434 of the Statutes of 2010).
- (28) Interdistrict Attendance Permits (CSM 4442; Chapters 172 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the Statutes of 1992).
- (29) Intradistrict Attendance (CSM 4454; Chapters 161 and 915 of the Statutes of 1993).
- (30) Juvenile Court Notices II (CSM 4475; Chapters 1011 and 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994; and Chapter 71 of the Statutes of 1995).
- (31) Notification of Truancy (CSM 4133; Chapter 498 of the Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter 19 of the Statutes of 1995).
- (32) Parental Involvement Programs (03-TC-16; Chapter 1400 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of 1998; and Chapter 1037 of the Statutes of 2002).
- (33) Physical Performance Tests (96-365-01; Chapter 975 of the Statutes of 1995).
- (34) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the Statutes of 1978).
- (35) Public Contracts (02-TC-35; Chapter 1073 of the Statutes of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992; and Chapter 726 of the Statutes of 1994).
- (36) Pupil Health Screenings (CSM 4440; Chapter 1208 of the Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter 750 of the Statutes of 1992).

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

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

(39) Race to the Top (10-TC-06; Chapters 2 and 3 of the Statutes of 2009).

(40) School Accountability Report Cards (97-TC-21, 00-TC-09, 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997; Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the 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) Training for School Employee Mandated Reporters (14-TC-02; Chapter 797 of the Statutes of 2014).

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

(g) 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, the Controller, the Department of Finance, and the Legislative Analyst's Office.

SEC. 33.

Section 17581.97 of the Government Code is amended to read:

17581.97.

(a) (1) For the 2018–19 fiscal year, the sum of six hundred ninety-seven million seven hundred fifty-nine thousand dollars (\$697,759,000) is hereby appropriated from the General Fund to the Controller for transfer to Section A of the State School Fund for allocation by the State Department of Education to school districts in the manner, and for the purposes, set forth in this section.

(2) For purposes of this section, a “school district” includes a county office of education and a charter school.

(b) The Superintendent of Public Instruction shall allocate the funds appropriated pursuant to paragraph (1) of subdivision (a) to school districts on the basis of an equal amount per unit of regular average daily attendance, as those average daily attendance numbers are reported at the time of the second principal apportionment for the 2017–18 fiscal year.

(c) (1) If a school district is required to repay claims disallowed under the School-Based Medi-Cal Administrative Activities program for the 2009–10 fiscal year to the 2015–16 fiscal year, inclusive, the Controller shall, upon notification from the Department of Finance, withhold the specified amounts owed by the applicable school district from the allocations made to those school districts pursuant to subdivision (b).

(2) The Controller shall transfer the amounts withheld in paragraph (1) to the General Fund as reimbursement of the payments made by the state in the 2017–18 fiscal year and the 2018–19 fiscal year to the federal Centers for Medicare and Medicaid Services on behalf of those school districts.

(d) Allocations made pursuant to subdivision (b), less any amount withheld pursuant to subdivision (c), shall first satisfy any outstanding claims pursuant to Section 6 of Article XIII B of the California Constitution for reimbursement of state-mandated local program costs for any fiscal year. Notwithstanding Section 12419.5 and any amounts that are paid in satisfaction of outstanding claims for reimbursement of state-mandated local program costs, the Controller may audit any claim as allowed by law, and may recover any amount owed by school districts pursuant to an audit only by reducing amounts owed by the state to school districts for any other mandate claims. Under no circumstances shall a school district be required to remit funding back to the state to pay for disallowed costs identified by a Controller audit of claimed reimbursable state-mandated local program costs. The Controller shall not recover any amount owed by a school district pursuant to an audit of claimed reimbursable state-mandated local program costs by reducing any amount owed a school district for any purpose other than amounts owed for any other mandate claims. The Controller shall apply amounts received by each school district against any balances of unpaid claims for reimbursement of state-mandated local program costs and interest in chronological order beginning with the earliest claim. The Controller shall report to each school district the amounts of any claims and interest that are offset from funds provided pursuant to this section, and shall report a summary of the amounts offset for each mandate for each fiscal year to the Department of Finance and the fiscal committees of the Legislature.

(e) (1) The governing board of a school district may expend the one-time funds allocated pursuant to this section for any purpose.

(2) It is the intent of the Legislature that school districts shall prioritize the use of these one-time funds for professional development, induction for beginning teachers with a focus on relevant mentoring, instructional materials, technology infrastructure, employee benefits, and any other investments necessary to support implementation of the common core academic content standards

in English language arts and mathematics, the implementation of English language development standards, and the implementation of the Next Generation Science standards.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one hundred three million three thousand dollars (\$103,003,000) of the appropriations made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2016–17 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2016–17 fiscal year.

(g) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, two hundred ninety-four million seven hundred fifty-six thousand dollars (\$294,756,000) of the appropriations made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2017–18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2017–18 fiscal year.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, three hundred million dollars (\$300,000,000) of the appropriations made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2018–19 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2018–19 fiscal year.

SEC. 34.

Section 28160 of the Vehicle Code is amended to read:

28160.

(a) On or before January 1, 2018, the department shall adopt regulations governing the specifications, installation, and use of child safety alert systems.

(b) (1) (A) Except as provided in subparagraphs (B) and (C), on or before March 1, 2019, each schoolbus, school pupil activity bus, except school pupil activity buses described in paragraph (2), youth bus, and child care motor vehicle shall be equipped with an operational child safety alert system.

(B) If a school district, county office of education, or charter school with an average daily attendance of 4,000 pupils or fewer, or a private school with 4,000 pupils or fewer in attendance, cannot meet the requirements of this section on or before March 1, 2019, the school district, county office of education, charter school, or private school shall submit to the department, on or before March 1, 2019, documentation that demonstrates that it has, before March 1, 2019, ordered or purchased the child safety alert system or child safety alert systems, and includes an estimate of repairs or installation, the total number of vehicles described in subparagraph (A) in the fleet and the number of vehicles described in subparagraph (A) that do not have an installed child safety alert system, the proposed date of installation, and the name of the vendor or individual who will install the child safety alert system or child safety alert systems. Upon providing this documentation, the school

district, county office of education, charter school, or private school shall have an additional six months, not to extend beyond September 1, 2019, to meet the requirements of this section.

(C) Any entity other than a school district, county office of education, charter school, or private school that operates a schoolbus, school pupil activity bus, except school pupil activity buses described in paragraph (2), youth bus, or child care motor vehicle that is subject to the requirements of this section may submit documentation as specified in subparagraph (B) to the department. Upon providing this documentation, the entity shall have an additional six months, not to extend beyond September 1, 2019, to meet the requirements of this section.

(D) This section shall apply to all school districts, county offices of education, charter schools, and private schools, including those that began the 2018–19 school year before September 1, 2018.

(2) A school pupil activity bus is not required to be equipped with an operational child safety alert system if all of the following apply:

(A) The school pupil activity bus is not used exclusively to transport pupils.

(B) When the school pupil activity bus is used to transport pupils, the pupils are accompanied by at least one adult chaperone selected by a school official. If an adult chaperone is not a school employee, the chaperone shall meet the requirements for a school volunteer established by the policies of the school district, county office of education, charter school, or private school.

(C) One adult chaperone has a list of every pupil and adult chaperone, including a school employee, who is on the school pupil activity bus at the time of departure.

(D) The driver has reviewed all safety and emergency procedures before the initial departure and the driver and adult chaperone have signed a form with the time and date acknowledging that the safety plan and procedures were reviewed.

(E) Immediately before departure from any location, the adult chaperone shall account for each pupil on the list of pupils, verify the number of pupils to the driver, and sign a form indicating that all pupils are present or accounted for.

(F) After pupils have exited a school pupil activity bus, and before driving away, the driver shall check all areas of the bus, including, but not limited to, overhead compartments and bathrooms, to ensure that the bus is vacant.

(G) The driver shall sign a form with the time and date verifying that all required procedures have been followed.

(H) The information required to be recorded pursuant to subparagraphs (D), (E), and (G) may be recorded on a single form. These forms shall be retained by the school district, county office of education, charter school, or private school for a minimum of two years.

(c) The department shall consult with the State Department of Education to develop frequently asked questions related to the implementation of this section and of Section 1294 of Title 13 of the California Code of Regulations. The department shall also consult with, at a minimum, the California Association of School Transportation Officials when developing the frequently asked questions. The department and the State Department of Education shall each post the frequently asked questions on their respective Internet Web sites.

(d) A “child safety alert system” is a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting.

(e) For purposes of this section, the following definitions apply:

(1) "Child care motor vehicle" means a vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child care provider to transport children.

(2) "Child care provider" has the same meaning as provided for "day care center" in Section 1596.76 of the Health and Safety Code.

SEC. 35.

Section 77 of Chapter 15 of the Statutes of 2017 is amended to read:

Sec. 77.

(a) For the 2017–18 fiscal year, the sum of four hundred thousand dollars (\$400,000) is hereby appropriated from the General Fund to the Superintendent of Public Instruction for support and development of the Local Control Accountability Plan Electronic Template system and the California School Dashboard mobile app.

(b) (1) For the purpose specified in subdivision (a), the State Department of Education, in collaboration with and subject to the approval of the executive director of the State Board of Education, shall enter into contracts with the San Joaquin County Office of Education. Of the amount appropriated, three hundred fifty thousand dollars (\$350,000) shall be used to host, maintain, and support the development of the Local Control Accountability Plan Electronic Template system. The remaining fifty thousand dollars (\$50,000) shall be available for encumbrance through the 2018–19 fiscal year and used to support and develop the California School Dashboard mobile app.

(2) When performing these activities, the San Joaquin County Office of Education may enter into appropriate contracts for the provision of support and services, as necessary, and shall ensure alignment of the electronic template and mobile app with California's accountability system, including, but not limited to, the School Accountability Report Card and the California School Dashboard, accommodate state and local data availability, and reflect consistency with implementation of the local control funding formula.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2017–18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2017–18 fiscal year.

SEC. 36.

Section 131 of Chapter 32 of the Statutes of 2018 is amended to read:

Sec. 131.

(a) For the 2018–19 fiscal year, the sum of fifteen million dollars (\$15,000,000) is hereby appropriated from the General Fund to the State Department of Education for allocation for grants pursuant to Section 8460 of the Education Code to be available for the 2018–19, 2019–20, and 2020–21 fiscal years.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2016–17 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2016–17 fiscal year.

SEC. 37.

Section 133 of Chapter 32 of the Statutes of 2018 is amended to read:

Sec. 133.

(a) The sum of fifty million dollars (\$50,000,000), is hereby appropriated to the Controller for transfer to Section A of the State School Fund for allocation by the State Department of Education for the Classified School Employee Summer Assistance Program.

(b) The Classified School Employee Summer Assistance Program shall provide a participating classified employee up to one dollar (\$1) for each one dollar (\$1) that the classified employee has elected to have withheld from his or her monthly paychecks pursuant to this section.

(c) For the 2019–20 school year, a local educational agency may elect to participate in the Classified School Employee Summer Assistance Program. A participating local educational agency shall notify classified employees by January 1, 2019, that the local educational agency has elected to participate in the Classified School Employee Summer Assistance Program for the next school year. Once a local educational agency elects to participate in the Classified School Employee Summer Assistance Program and notifies classified employees pursuant to this subdivision, the local educational agency is prohibited from reversing its decision to participate in the Classified School Employee Summer Assistance Program for the 2019–20 school year.

(d) (1) A classified employee that elects to participate in the Classified School Employee Summer Assistance Program shall notify the local educational agency, in writing, by March 1, 2019, on a form developed by the State Department of Education that he or she wishes to participate in the Classified School Employee Summer Assistance Program for the 2019–20 school year. The classified employee shall specify the amount to be withheld from his or her monthly paychecks during the 2019–20 school year and whether he or she chooses to have the amounts withheld paid out during the summer recess period in one or two payments. A participating classified employee may elect to have up to 10 percent of his or her monthly pay withheld during the school year.

(2) A classified employee shall be eligible to participate in the Classified School Employee Summer Assistance Program if the classified employee has been employed with the local educational agency for at least one year at the time the classified employee elects to participate in the Classified School Employee Summer Assistance Program.

(3) A classified employee shall be eligible to participate in the Classified School Employee Summer Assistance Program if the classified employee is employed by the local educational agency for fewer than 12 months per fiscal year.

(4) A classified employee shall not be eligible to participate in the Classified School Employee Summer Assistance Program if the classified employee's regular annual pay received directly from the local educational agency is more than two times the full-time pay of a classified employee, paid at the state minimum wage for an entire school year, at the time of enrollment. For purposes of

determining a classified employee's regular annual pay received directly from the local educational agency, the employing local educational agency shall exclude any pay received by the classified employee during the summer recess period of the previous fiscal year. For purposes of this section, "summer recess period" means the period that regular class sessions are not being held by a local educational agency during the months of June, July, and August.

(e) A local educational agency that elects to participate in the Classified School Employee Summer Assistance Program shall notify the State Department of Education in writing, by April 1, 2019, on a form developed by the State Department of Education that it has elected to participate in the Classified School Employee Summer Assistance Program. The local educational agency shall specify the number of classified employees that have elected to participate in the Classified School Employee Summer Assistance Program and the total estimated amount to be withheld from participating classified employee paychecks for the 2019–20 school year.

(f) The State Department of Education shall notify participating local educational agencies in writing, by May 1, 2019, of the estimated amount of state match funding that a participating classified employee can expect to receive as a result of participating in the Classified School Employee Summer Assistance Program. If the funding provided pursuant to subdivision (a) is insufficient to provide one dollar (\$1) for each one dollar (\$1) that has been withheld from participating classified employee monthly paychecks, the State Department of Education shall notify local educational agencies of the expected prorated amount of state match funds that a participating classified employee can expect to receive as result of participating in the Classified School Employee Summer Assistance Program.

(g) Participating local educational agencies shall notify participating classified employees by June 1, 2019, the amount of estimated state match funds that a participating classified employee can expect to receive as a result of participating in the Classified School Employee Summer Assistance Program. After receiving that notification, a classified employee may withdraw his or her election to participate in the Classified School Employee Summer Assistance Program or reduce the amount to be withheld from his or her paycheck pursuant to paragraph (1) of subdivision (d) by notifying his or her employing local educational agency no later than 30 days after the start of the school year.

(h) The local educational agency shall deposit the amounts withheld from participating classified employee monthly paychecks in accordance with the choices made by each participating classified employee pursuant to subdivision (d) in a separate account.

(i) A classified employee that separates from employment with a local educational agency during the 2019–20 school year may request from the local educational agency any pay withheld from his or her paycheck pursuant to this section. However, the classified employee shall not be entitled to receive any state match funds provided pursuant this section.

(j) Participating local educational agencies shall request payment from the State Department of Education on or before July 31, 2020, on a form developed by the State Department of Education, for the amount of classified employee pay withheld from the monthly paychecks of participating classified employees and placed in a separate account pursuant to subdivision (h).

(k) The State Department of Education shall apportion funds to participating local educational agencies within 30 days of receiving a request for payment by the participating local educational agency pursuant to subdivision (j). The apportionment shall be determined for each local educational agency by the State Department of Education on the basis of the amount that has been withheld from the monthly paychecks of participating classified employees and placed in a separate account pursuant to subdivision (h).

(l) If the total amount requested by participating local educational agencies exceeds the amount appropriated pursuant to subdivision (a), the State Department of Education shall prorate the amount apportioned to participating local educational agencies accordingly, consistent with the determination made pursuant to subdivision (f).

(m) The participating local educational agency shall pay participating classified employees the amounts withheld in accordance with the classified employee's choices, plus the amount apportioned by the State Department of Education that is attributable to the amount withheld from that classified employee's paychecks during the school year. This amount shall be paid to the participating classified employee during the summer recess period, in either one or two payments, in accordance with the classified employee's option pursuant to subdivision (d).

(n) The state match funding received by participating classified employees pursuant to this section shall not be considered compensation for the purposes of determining retirement benefits for the California Public Employees' Retirement System or the California State Teachers' Retirement System.

(o) For purposes of this section, "local educational agency" means a school district or county office of education.

(p) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2016-17 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2016-17 fiscal year.

SEC. 38.

Section 134 of Chapter 32 of the Statutes of 2018 is amended to read:

Sec. 134.

(a) For the 2018-19 fiscal year, the sum of fifty million dollars (\$50,000,000) is hereby appropriated from the General Fund to the State Department of Education to establish the Classified School Employee Professional Development Block Grant Program. For purposes of the Classified School Employee Professional Development Block Grant Program, the State Department of Education shall:

(1) Apportion forty-five million dollars (\$45,000,000) of the block grant funds to local educational agencies based on the number of classified school employees employed by the local educational agency in the immediately preceding fiscal year.

(2) Provide the Office of the Chancellor of the California Community Colleges five million dollars (\$5,000,000) for professional development for classified community college employees pursuant to paragraph (2) of subdivision (b). The chancellor's office shall apportion funding to community college districts based on the number of classified community college employees employed by the community college district in the immediately preceding fiscal year.

(b) (1) A local educational agency shall expend funds received pursuant to this section for any purpose described in Section 45391 of the Education Code, with first priority being for professional development for the implementation of school safety plans, as set forth in Article 5 (commencing with Section 32280) of Chapter 2.5 of Part 19 of Division 1 of Title 1 of the Education Code, if applicable.

(2) The Office of the Chancellor of the California Community Colleges shall provide community college districts with guidance regarding the expenditure of funds to support professional development for classified community college employees. This guidance shall include a requirement that a community college district consult with the exclusive representative of its classified staff in determining what professional development services or opportunities are provided to classified community college employees.

(c) For purposes of this section, the following terms have the following meanings:

(1) "Classified community college employee" means a person employed by a community college district in a classified position.

(2) "Classified school employee" means a full-time equivalent of classified staff, as reported in the California Basic Educational Data System.

(3) "Local educational agency" means a school district, county office of education, or charter school.

(d) (1) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the amount described in paragraph (1) of subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2017-18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2017-18 fiscal year.

(2) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the amount described in paragraph (2) of subdivision (a) shall be deemed to be "General Fund revenues appropriated for community college districts," as defined in subdivision (d) of Section 41202 of the Education Code, for the 2017-18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2017-18 fiscal year.

SEC. 39.

(a) For the 2018-19 fiscal year, the sum of twenty-one million one hundred forty-six thousand dollars (\$21,146,000) is hereby appropriated from the General Fund to the California School Finance Authority established pursuant to Section 17172 of the Education Code. This appropriation shall be available to the California School Finance Authority to support programmatic costs for the Charter School Facility Grant Program established pursuant to Section 47614.5 of the Education Code attributable to the 2017-18 fiscal year.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2017-18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2017-18 fiscal year.

SEC. 40.

(a) For the 2018–19 fiscal year, the sum of two hundred thousand dollars (\$200,000) is hereby appropriated from the General Fund to the State Department of Education to support updating the Local Control Accountability Plan Electronic Template system to reflect changes to the template for a local control and accountability plan and an annual update to the local control and accountability plan, as described in Section 52064 of the Education Code.

(b) (1) For the purposes specified in subdivision (a), the State Department of Education, in collaboration with, and subject to the approval of, the executive director of the State Board of Education, shall enter into contracts with the San Joaquin County Office of Education.

(2) When performing these activities, the San Joaquin County Office of Education may enter into appropriate contracts for the provision of support and services, as necessary.

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the 2016–17 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2016–17 fiscal year.

SEC. 41.

With respect to Section 5 of this act, the Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the financial distress faced by the Inglewood Unified School District, the Oakland Unified School District, the South Monterey County Joint Union High School District, and the Vallejo City Unified School District.

SEC. 42.

With respect to Section 16 of this act, the Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the financial distress faced by the Oakland Unified School District and the Inglewood Unified School District.

SEC. 43.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, except that funding provided for school districts, county offices of education, and charter schools pursuant to Sections 2574, 2575, 2575.2, 42238.02, and 42238.03, as applicable, shall be used to directly offset any mandated costs.

SEC. 44.

This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

Assembly Bill No. 1912

CHAPTER 253

An act to add and repeal Section 41329 of the Education Code, relating to emergency apportionments, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 06, 2022. Filed with Secretary of State September 06, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1912, Mia Bonta. Emergency apportionments: closure and consolidation requirements.

Existing law authorizes the governing board of a school district, if it determines during a fiscal year that its revenues are less than the amount necessary to meet its current year expenditure obligations, to request an emergency apportionment through the Superintendent of Public Instruction, as provided. Existing law imposes certain conditions and requirements on a school district that accepts an emergency apportionment, including, among others, that the governing board of the school district prepare a report on the financial condition of the school district. Existing law requires the report to include, among other things, specific actions taken to reduce expenditures or increase income, and the cost savings and increased income resulting from those actions.

This bill would require a school district under financial distress, as defined, before approving the closure or consolidation of a school, to conduct an equity impact analysis in its consideration of school closures or consolidations, as provided. The bill would require the governing board of the school district to develop a set of metrics, as specified, for the development of the equity impact analysis, and to make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis, as provided. To the extent the bill imposes additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would provide that its provisions do not apply to a school district's closure of a school due solely to the unsafe condition of the school's facilities. The bill would make these provisions inoperative as of July 1, 2028.

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 the statutory provisions noted above.

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

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 41329 is added to the Education Code, immediately following Section 41328, to read:

41329.

(a) A school district under financial distress, as defined in subdivision (b), shall do all of the following before approving the closure or consolidation of a school of the school district:

(1) In deciding what schools to close or consolidate, the governing board of the school district shall conduct an equity impact analysis in its consideration of school closures or consolidations. The governing board of the school district shall develop a set of metrics for the development of the equity impact analysis and make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis. The metrics shall include, but are not limited to, all of the following:

(A) The condition of a school facility.

(B) The operating cost of a school and the associated savings resulting from a closure or consolidation.

(C) The capacity of a school to accommodate excess pupils.

(D) Special programs available at the schools being considered for closure or consolidation and whether those programs will be provided at the same current level at the schools to which pupils will be diverted.

(E) Environmental factors, including, but not limited to, traffic and proximity to freeway access.

(F) Balance of pupil demographics, including race or ethnicity, pupils with disabilities, English learners, foster youth, and homeless youth, in the schools being considered for closure or consolidation, and the resulting demographic balance of pupils after placement in other schools, in order to determine if the decision to close or consolidate will have a disproportionate impact on any particular demographic group.

(G) Transportation needs of pupils.

(H) Aesthetics and the opportunity for blight and negative impact on the surrounding community.

(I) Impact on feeder school attendance patterns with the closure of any particular school and whether the closure will attenuate attendance at other schools or specialized programs as a result.

(2) (A) The governing board of the school district shall provide its recommendations regarding school closures and consolidations to the public at a regularly scheduled meeting and share how it prepared its list and include, at a minimum, all of the following information:

(i) Factors used to identify the list of school closures or consolidations.

(ii) Equity impact analysis findings for each school closure or consolidation.

(iii) Plan for the use of the schools proposed for closure or consolidation once it becomes a vacated facility.

(iv) Criteria used to assign displaced pupils to other school sites, or a description of the process of reassignment that will be used by the school district.

(v) Options and timeline for transitioning pupils to their new schools, including improving safe routes to schools and home-to-school transportation needs.

(B) The governing board of the school district shall review and consider the feedback presented at the public meeting and make its decision on any school closures or consolidations at a subsequently scheduled regular meeting.

(C) At the subsequent regularly scheduled meeting, the governing board of the school district shall present its final recommendation for school closures or consolidations, which shall include a review of how public input was incorporated into the final recommendation. Any affirmative action by the governing board of the school district to implement a school closure or consolidation shall be made only after it adopts a resolution concluding that the community engagement process required pursuant this section has been completed.

(D) (i) Upon an affirmative action by the governing board of the school district to implement a school closure or consolidation, the school district shall provide information to parents and pupils in multiple formats, including, but not limited to, email and paper notifications.

(ii) Notifications to parents shall be translated into their primary language pursuant to Section 48985.

(iii) The information shall include all of the following:

(I) The date of the approved closure or consolidation.

(II) The pupil's new school assignment, as applicable.

(III) School district resources for pupils and parents to support the pupil's transition.

(IV) School district contacts for additional information.

(b) For purposes of this section, "financial distress" means a school district with an emergency apportionment pursuant to Article 2 (commencing with Section 41320) or this article, a trustee appointed pursuant to Article 2 (commencing with Section 41320), or an administrator appointed pursuant to this article.

(c) For purposes of this section, "governing board of a school district" includes a trustee appointed pursuant to Article 2 (commencing with Section 41320), or an administrator appointed pursuant to this article.

(d) This section does not apply to a school district's closure of a school due solely to the unsafe condition of the school's facilities.

(e) The process outlined pursuant to this section shall not take more than 12 months from the initiation of the equity impact analysis pursuant to paragraph (1) of subdivision (a) to the notification to parents of the final determination of the governing board of the school district pursuant to subparagraph (D) of paragraph (2) of subdivision (a).

(f) This section shall become inoperative on July 1, 2028, and, as of January 1, 2029, is repealed.

SECTION. 2.

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

SECTION. 3.

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 California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to mitigate, as soon as possible, the impacts of declining enrollment and chronic absenteeism, due to both long-term demographic trends and the COVID-19 pandemic, which will result in the closure of schools, it is

DRAFT

Appendix D: Comparison of the Number of Schools in Similar School Districts

Criteria: LA County between 6,000 and 10,000 students, LCFF funded

Unified School District	2022 Enrollment*	Number of HS	Number of MS	Number of ES	Total	School per Student	Rank
Claremont	6,616	1	1	7	9	735	7
Culver City Unified	6,876	1	1	5	7	982	1
Glendora Unified	6,671	1	2	5	8	834	4
Azusa	7,187	2	3	9	14	513	9
El Rancho Unified	7,613	1	3	8	12	634	8
Inglewood*	7,628	3	1	11	15	509	10
Arcadia	8,669	1	3	6	10	867	3
Bonita	9,599	2	2	8	12	800	5
Redondo Beach	9,607	1	2	8	11	873	2
Bellflower Unified**	9,790	2	0	11	13	753	6
Average	8,623	1.4	2.0	7.4	10.9	792	NA

* Includes dependent charter schools but not independent charter schools

** Home study enrollment and home study "school" not included

Data Sources: California Department of Education

Criteria: Unduplicated Count 50%-90%, Black/African American 10%-40%, Hispanic/Latino 45%-80%

Unified School District	Unduplicated Percentage Black or African American	Hispanic or Latino	2022 Enrollment*	Number of HS	Number of MS	Number of ES	Total	School per Student	Rank	
Barstow Unified (San Bernardino)	78	20	54	6,401	1	2	7	10	640	8
Inglewood* (Los Angeles)	64	36	60	7,628	3	1	11	15	509	11
San Leandro Unified (Alameda)	76	12	49	8,712	1	2	8	11	792	3
Bellflower Unified** (Los Angeles)	77	12	67	9,780	2	0	11	13	752	4
Vallejo City Unified (Solano)	64	24	48	10,305	2	1	14	17	606	10
Pittsburg Unified (Contra Costa)	79	16	65	10,793	1	3	8	12	899	2
Pasadena Unified** (Los Angeles)	65	11	58	15,458	4	4	14	22	703	6
Compton Unified (Los Angeles)	79	19	79	18,211	4	5	21	30	607	9
Antioch Unified** (Contra Costa)	70	24	49	14,218	3	4	14	21	677	7
Val Verde Unified (Riverside)	85	11	80	18,574	3	4	12	19	978	1
Fairfield-Suisun Unified** (Solano)	54	13	46	19,846	4	4	19	27	735	5
Average	72	18	59	12,721	2.5	2.7	12.6	17.9	716	NA

* Enrollment includes dependent charter schools, continuation, adult, alternative or non-public schools

**Virtual and independent study school's enrollment and school not included

Data Sources: California Department of Education

Appendix E: Map of IUSD School Boundaries

