

AMENDED IN ASSEMBLY JANUARY 7, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 520**

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**Introduced by Assembly Member Koretz**

February 21, 2001

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~~An act to add Section 46111.5 to the Education Code, relating to compulsory education. An act to amend Section 3543.2 of the Government Code, relating to public school employment.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 520, as amended, Koretz. ~~Kindergarten full schoolday program~~ *Public school employment.*

*Existing law gives public school employee organizations the right to represent their members in their employment relations with public school employers and limits the scope of representation to matters relating to wages, hours of employment, and other terms and conditions of employment. Existing law defines terms and conditions of employment for this purpose.*

*This bill would include within the terms and conditions of employment the reporting and paperwork requirements imposed on employees by the public school employer, to the extent these requirements are within the discretion of the public school employer under the law.*

~~Existing law, with certain exceptions establishes the maximum schoolday for kindergarten at 4 hours, and the minimum schoolday for grades 1, 2, and 3 at 230 minutes. Existing law, the Kindergarten Readiness Pilot Program, permits, until January 1, 2011, school districts to permit school districts to participate in the program to~~

~~provide kindergarten preparedness opportunities to increase a child’s readiness for school.~~

~~This bill would authorize a school district, county office of education, or a charter school to elect to participate in the kindergarten full schoolday program that operates for the full school year and for the minimum schoolday established by law for pupils in grade 1, in elementary school, as prescribed.~~

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

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

1 ~~SECTION 1.—Section 46111.5 is added to the Education Code,~~  
2 *SECTION 1. Section 3543.2 of the Government Code is*  
3 *amended to read:*  
4 3543.2. (a) The scope of representation shall be limited to  
5 matters relating to wages, hours of employment, and other terms  
6 and conditions of employment. “Terms and conditions of  
7 employment” mean health and welfare benefits as defined by  
8 Section 53200, leave, transfer and reassignment policies, safety  
9 conditions of employment, class size, procedures to be used for the  
10 evaluation of employees, organizational security pursuant to  
11 Section 3546, procedures for processing grievances pursuant to  
12 Sections 3548.5, 3548.6, 3548.7, and 3548.8, the layoff of  
13 probationary certificated school district employees, pursuant to  
14 Section 44959.5 of the Education Code, *reporting and paperwork*  
15 *requirements imposed on employees by the public school employer,*  
16 *to the extent these requirements are within the discretion of the*  
17 *public school employer under the law,* and alternative  
18 compensation or benefits for employees adversely affected by  
19 pension limitations pursuant to Section 22316 of the Education  
20 Code, to the extent deemed reasonable and without violating the  
21 intent and purposes of Section 415 of the Internal Revenue Code.  
22 In addition, the exclusive representative of certificated personnel  
23 has the right to consult on the definition of educational objectives,  
24 the determination of the content of courses and curriculum, and the  
25 selection of textbooks to the extent such matters are within the  
26 discretion of the public school employer under the law. All matters  
27 not specifically enumerated are reserved to the public school  
28 employer and may not be a subject of meeting and negotiating,



1 provided that nothing herein may be construed to limit the right of  
2 the public school employer to consult with any employees or  
3 employee organization on any matter outside the scope of  
4 representation.

5 (b) Notwithstanding Section 44944 of the Education Code, the  
6 public school employer and the exclusive representative shall,  
7 upon request of either party, meet and negotiate regarding causes  
8 and procedures for disciplinary action, other than dismissal,  
9 including a suspension of pay for up to 15 days, affecting  
10 certificated employees. If the public school employer and the  
11 exclusive representative do not reach mutual agreement, then the  
12 provisions of Section 44944 of the Education Code shall apply.

13 (c) Notwithstanding Section 44955 of the Education Code, the  
14 public school employer and the exclusive representative shall,  
15 upon request of either party, meet and negotiate regarding  
16 procedures and criteria for the layoff of certificated employees for  
17 lack of funds. If the public school employer and the exclusive  
18 representative do not reach mutual agreement, then the provisions  
19 of Section 44955 of the Education Code shall apply.

20 (d) Notwithstanding Section 45028 of the Education Code, the  
21 public school employer and the exclusive representative shall,  
22 upon request of either party, meet and negotiate regarding the  
23 payment of additional compensation based upon criteria other than  
24 years of training and years of experience. If the public school  
25 employer and the exclusive representative do not reach mutual  
26 agreement, then the provisions of Section 45028 of the Education  
27 Code shall apply.

28 (e) Pursuant to Section 45028 of the Education Code, the  
29 public school employer and the exclusive representative shall,  
30 upon the request of either party, meet and negotiate a salary  
31 schedule based on criteria other than a uniform allowance for years  
32 of training and years of experience. If the public school employer  
33 and the exclusive representative do not reach mutual agreement,  
34 then the provisions of Section 45028 of the Education Code  
35 requiring a salary schedule based upon a uniform allowance for  
36 years of training and years of experience shall apply. A salary  
37 schedule established pursuant to this subdivision shall not result in  
38 the reduction of the salary of any teacher. ~~to read:~~



1     ~~46111.5.—(a) A school district, county office of education, or~~  
2 ~~charter school may elect to participate in the kindergarten full~~  
3 ~~school day program pursuant to this section.~~  
4     ~~(b) Notwithstanding any other provision of law to the contrary,~~  
5 ~~participant school districts, county offices of education, or charter~~  
6 ~~schools shall establish a kindergarten full school day program that~~  
7 ~~operates for the full school year and for the minimum school day~~  
8 ~~established by law for pupils in grade 1, in elementary school.~~  
9     ~~(c) Participation in the kindergarten full school day program by~~  
10 ~~parents and children shall be voluntary.~~  
11     ~~(d) Participating school districts, county offices of education,~~  
12 ~~or charter schools shall admit a child to a participating~~  
13 ~~kindergarten full school day program at the beginning of a school~~  
14 ~~year, or at any later time in the same year, if the child will have his~~  
15 ~~or her fifth birthday on or before September 1 of that school year.~~  
16     ~~(e) Notwithstanding any provision of law to the contrary,~~  
17 ~~including, but not limited to Section 46110, participating school~~  
18 ~~districts, county offices of education, and charter schools shall be~~  
19 ~~eligible for a grant from the State Department of Education not to~~  
20 ~~exceed \_\_\_\_\_ dollars (\$\_\_\_\_\_) for additional cost associated with~~  
21 ~~establishment and operation of the program pursuant to this~~  
22 ~~section.~~  
23     ~~SEC. 2.—This act may be cited as the School Readiness Act of~~  
24 ~~2002.~~

