

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 22, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1266

Introduced by Committee on Budget

February 21, 2003

~~An act to amend Sections~~ *An act to add Chapter 4.6 (commencing with Section 18880) to Part 11 of, to repeal Section 426 of, and to repeal Article 4.2 (commencing with Section 18733) and Article 4.5 (commencing with Section 18735) of Chapter 4 of Part 11 of, the Education Code, relating to literacy. -8530, 8531, 17070.75, 33050, 46140, 46141, 46145, 47634.3, 49550.3, 51871, and 60422 of, to add Sections 44259.4 and 44274.3 to, to add Chapter 4.6 (commencing with Section 18880) to Part 11 of, and Chapter 19 (commencing with Section 53200) to Part 28 of, to repeal Sections 1904, 1908, 1909, 1909.5, 8532, 8533, 8534, 8535, 8536, 8537, 8538, 17583, 17584, 17584.1, 17585, 17586, 17587, 17588, 17589, 17590, 17591, 17592, 41976, 41976.1, 41976.2, 42239.15, 46140.1, 46140.5, 47614.5, 47634, 47634.5, 48431.6, 48431.7, 51056, 51871.3, 51871.4, 51872, 51873, 51874, 52247, 60420, 60421, and 60424 of, to repeal Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of, Article 3.6 (commencing with Section 32228) of Chapter 2 of, and Article 6 (commencing with Section 32296) of Chapter 2.5 of, Part 19 of, Article 6 (commencing with Section 33380) and Article 12 (commencing with Section 33470) of Chapter 3 of Part 20 of, Article 10.3 (commencing with Section 35294) and Article 10.4 (commencing with Section 35294.10) of Chapter 2 of Part 21 of, Article 2 (commencing with Section 39820) of Chapter 1 of Part 23.5 of, Article 9 (commencing with Section 41840)*



and Article 10 (commencing with Section 41850) of Chapter 5 of, and Article 4.5 (commencing with Section 42290) and Article 4.7 (commencing with Section 42300) of Chapter 7 of, Part 24 of, Article 4.5 (commencing with Section 44279.1) and Article 13 (commencing with Section 44395) of Chapter 2 of, Article 4.5 (commencing with Section 44500) of, Article 7.5 (commencing with Section 44579) of, and Article 10.6 (commencing with Section 44650) of, Chapter 3 of, Article 3 (commencing with Section 44681) of Chapter 3.1 of, and Article 8.5 (commencing with Section 45370) of Chapter 5 of, Part 25 of, Article 7 (commencing with Section 46190) of Chapter 2 of, and Article 5 (commencing with Section 46351) of Chapter 3 of, Part 26 of, Article 2 (commencing with Section 48630) and Article 2.3 (commencing with Section 48643) of Chapter 4 of Part 27 of, Article 4 (commencing with Section 52180) of Chapter 7 of, Article 1 (commencing with Section 52300) of, Article 1.5 (commencing with Section 52335) of, Article 7.5 (commencing with Section 52460) of, and Article 8 (commencing with Section 52480) of, Chapter 9 of, Article 7 (commencing with Section 52900) of Chapter 12 of, and Article 1 (commencing with Section 53025) of Chapter 16 of, Part 28 of, Article 1 (commencing with Section 54000) and Article 2 (commencing with Section 54020) of Chapter 1 of, and Article 4.5 (commencing with Section 54685) of, Article 5 (commencing with Section 54690) of, Article 7 (commencing with Section 54720) of, Article 7.1 (commencing with Section 54740) of, and Article 9 (commencing with Section 54760) of, Chapter 9 of, Part 29 of, to repeal Chapter 4 (commencing with Section 400) of Part 1 of, Chapter 5 (commencing with Section 8810) of Part 6 of, Chapter 12 (commencing with Section 11020) of Part 7 of, Chapter 11.3 (commencing with Section 42920) of Part 24 of, Chapter 3.36 (commencing with Section 44735) and Chapter 3.44 (commencing with Section 44751) of Part 25 of, Chapter 6 (commencing with Section 52000) of, Chapter 6.5 (commencing with Section 52060) of, Chapter 6.8 (commencing with Section 52080) of, Chapter 8 (commencing with Section 52200) of, Chapter 8.3 (commencing with Section 52240) of, Chapter 10 (commencing with Section 52500) of, Chapter 12.5 (commencing with Section 52920) of, and Chapter 18 (commencing with Section 53091) of, Part 28 of, Chapter 2 (commencing with Section 54100) and Chapter 2.5 (commencing with Section 54200) of Part 29 of, Chapter 3.5 (commencing with Section 58550) of, Chapter 5.5 (commencing with Section 58730) of, and Chapter 6 (commencing with Section 58800) of,



~~Part 31 of, and Chapter 8 (commencing with Section 60830) of Part 33 of, and to repeal Part 26.95 (commencing with Section 47750) of, the Education Code, relating to education.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1266, as amended, Committee on Budget. ~~Education finance~~ *California English Acquisition and Literacy Program.*

~~(1) Existing law makes adult basic education the responsibility of high school and unified school districts, except if by mutual agreement the responsibility is assigned to a community college district.~~

~~This bill would instead permit adult education to be provided by a community college district, or by a high school or unified school district.~~

~~(2) Existing law establishes the California Library Literacy Service Program and the Families for Literacy Program.~~

~~This bill~~

~~Existing law requires the State Librarian to contract for an independent evaluation of a specified portion of the English Language and Intensive Literacy Program and to submit interim reports to the Legislature, as specified.~~

~~This bill would repeal those provisions.~~

~~Existing law establishes the California Library Literacy Service as a public library services program designed to reduce adult illiteracy by providing English language literacy instruction and related services to adults and youth who are not enrolled in school. Existing law also establishes the Families for Literacy Program, a library services program with the purpose of preventing illiteracy through coordinated literacy and preliteracy services to families that include illiterate adults and young children.~~

~~This bill would repeal those programs and instead would additionally establish the California English Acquisition and Literacy Program to reduce illiteracy among children and adults by providing English language literacy instruction and related services to native and nonnative English speaking youth and adults residing in California.~~

~~(3) Existing law establishes various categorical aid programs under which funding is provided for specific educational purposes. Existing law establishes the Pilot Project for Categorical Education Program Flexibility under which a participating school district may expend~~



~~funds within each of 3 clusters for the general purposes associated with the categorical education programs in those clusters.~~

~~This bill would establish the instructional improvement block grant program for kindergarten and grades 1 to 12, inclusive, and would require local educational agencies to use the block grant funds for purposes of professional development, instructional materials and technology, specialized and targeted instruction programs, school safety, pupil services, and facilities maintenance or any of the general purposes authorized by specified categorical education programs, which the bill would repeal.~~

~~(4) Existing law establishes the Instructional Materials Funding Realignment Program, makes the program inoperative on July 1, 2007, and repeals it on January 1, 2008.~~

~~This bill would make the program permanent.~~

~~(5) Existing law establishes the Reader Employment Fund in the State Treasury, to be administered by the Superintendent of Public Instruction, from which each applicant school district, county superintendent of schools, and state special school or center is allocated an amount sufficient to provide the legally blind certificated classroom teachers employed by the applicant with the services of a reader for a maximum of 15 hours per school week.~~

~~The bill would transfer the balance of that fund to the Proposition 98 reversion account.~~

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

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

- 1 ~~SECTION 1. Chapter 4 (commencing with Section 400) of~~
- 2 ~~Part 1 of the Education Code is repealed.~~
- 3 ~~SEC. 2. Section 1904 of the Education Code is repealed.~~
- 4 ~~SEC. 3. Section 1908 of the Education Code is repealed.~~
- 5 ~~SEC. 4. Section 1909 of the Education Code is repealed.~~
- 6 ~~SEC. 5. Section 1909.5 of the Education Code is repealed.~~
- 7 ~~SEC. 6. Article 8 (commencing with Section 8150) of~~
- 8 ~~Chapter 1 of Part 6 of the Education Code is repealed.~~
- 9 ~~SEC. 7. Section 8530 of the Education Code is amended to~~
- 10 ~~read:~~



1 8530. — Commencing with the 2003–04 school year, adult basic
2 education may be provided by a community college district, high
3 school or unified school district.

4 SEC. 8. — Section 8531 of the Education Code is amended to
5 read:

6 8531. — The granting of a high school diploma is the
7 responsibility of the high school district, unified school district, or
8 community college district that provides the adult education
9 courses that lead to the fulfillment of the requirements for the high
10 school diploma.

11 SEC. 9. — Section 8532 of the Education Code is repealed.

12 SEC. 10. — Section 8533 of the Education Code is repealed.

13 SEC. 11. — Section 8534 of the Education Code is repealed.

14 SEC. 12. — Section 8535 of the Education Code is repealed.

15 SEC. 13. — Section 8536 of the Education Code is repealed.

16 SEC. 14. — Section 8537 of the Education Code is repealed.

17 SEC. 15. — Section 8538 of the Education Code is repealed.

18 SEC. 16. — Chapter 5 (commencing with Section 8810) of Part
19 6 of the Education Code is repealed.

20 SEC. 17. — Chapter 12 (commencing with Section 11020) of
21 Part 7 of the Education Code is repealed.

22 SEC. 18. — Section 17070.75 of the Education Code is amended
23 to read:

24 17070.75. — (a) The board shall require the school district to
25 make all necessary repairs, renewals, and replacements to ensure
26 that a project is at all times kept in good repair, working order, and
27 condition. All costs incurred for this purpose shall be borne by the
28 school district.

29 (b) In order to ensure compliance with subdivision (a) and to
30 encourage school districts to maintain all buildings under their
31 control, the board shall require an applicant school district to do
32 all of the following prior to the approval of a project:

33 (1) Establish a restricted account within the school district's
34 general fund for the exclusive purpose of providing moneys for
35 ongoing and major maintenance of school buildings, according the
36 highest priority to funding for the purposes set forth in subdivision
37 (a).

38 (2) Agree to deposit into the account established pursuant to
39 paragraph (1), in each fiscal year for 20 years after receipt of funds
40 under this chapter, a minimum amount equal to or greater than 3



1 percent of the applicant school district's total general fund
 2 expenditures, including other financing uses, for that fiscal year.
 3 In addition, any district contribution to this fund may be provided
 4 in lieu of meeting the ongoing maintenance requirements pursuant
 5 to Section 17014 to the extent the funds are used for purposes
 6 established in that section. A school district that serves as the
 7 administrative unit for a special education local plan area may
 8 elect to exclude from its total general fund expenditures, for
 9 purposes of this paragraph, the distribution of revenues that are
 10 passed through to participating members of the special education
 11 local plan area. This paragraph is applicable only to the following
 12 school districts:

13 (A) High school districts with an average daily attendance
 14 greater than 300 pupils.

15 (B) Elementary school districts with an average daily
 16 attendance greater than 900 pupils.

17 (C) Unified school districts with an average daily attendance
 18 greater than 1,200 pupils.

19 (3) Certify that it has publicly approved an ongoing and major
 20 maintenance plan that outlines the use of the funds deposited, or
 21 to be deposited, pursuant to paragraph (2). The plan may provide
 22 that the district need not expend all of its annual allocation for
 23 ongoing and major maintenance in the year in which it is deposited
 24 if the cost of major maintenance requires that the allocation be
 25 carried over into another fiscal year. However, any state funds
 26 carried over into a subsequent year may not be counted toward the
 27 annual minimum contribution by the district. A plan developed in
 28 compliance with this section meets the requirements of Section
 29 17585.

30 (e) A district to which paragraph (2) of subdivision (b) does not
 31 apply shall certify to the board that it can reasonably maintain its
 32 facilities with a lesser level of maintenance.

33 (d) For the purposes of calculating a county office of education
 34 requirement pursuant to this section, the 3 percent maintenance
 35 requirement shall be calculated based upon the county office of
 36 education general fund, less any restricted accounts.

37 SEC. 19.—Section 17583 of the Education Code is repealed.

38 SEC. 20.—Section 17584 of the Education Code is repealed.

39 SEC. 21.—Section 17584.1 of the Education Code is repealed.

40 SEC. 22.—Section 17585 of the Education Code is repealed.



- 1 ~~SEC. 23. Section 17586 of the Education Code is repealed.~~
- 2 ~~SEC. 24. Section 17587 of the Education Code is repealed.~~
- 3 ~~SEC. 25. Section 17588 of the Education Code is repealed.~~
- 4 ~~SEC. 26. Section 17589 of the Education Code is repealed.~~
- 5 ~~SEC. 27. Section 17590 of the Education Code is repealed.~~
- 6 ~~SEC. 28. Section 17591 of the Education Code is repealed.~~
- 7 ~~SEC. 29. Section 17592 of the Education Code is repealed.~~
- 8 ~~SEC. 30.—~~

9 *SECTION 1. Section 426 of the Education Code is repealed.*

10 ~~426. (a) The State Librarian, with input from the Legislative~~
11 ~~Analyst's office, the office of the Secretary for Education, and the~~
12 ~~Department of Finance, shall contract with an independent~~
13 ~~evaluator to evaluate the portion of the English Language and~~
14 ~~Intensive Literacy Program that is administered by the State~~
15 ~~Library, as listed in Item 6120-212-0001 of Section 2.00 of the~~
16 ~~Budget Act of 2000. The evaluation shall determine the~~
17 ~~effectiveness of this program, including, but not limited to,~~
18 ~~improving English language proficiency and identifying the most~~
19 ~~effective practices for teaching English language learners and their~~
20 ~~families in improving English language proficiency.~~

21 ~~(b) The State Librarian shall provide interim reports to the~~
22 ~~Legislature that include, but are not limited to, the following:~~

23 ~~(1) The amount of funding allocated.~~

24 ~~(2) The number of libraries or schools participating in the~~
25 ~~program.~~

26 ~~(3) The number of English language learners participating in~~
27 ~~this program.~~

28 ~~(4) The number of parents participating in the program.~~

29 ~~(c) The first report is due March 1, 2001. The second report is~~
30 ~~due March 1, 2002. The final interim report is due March 1, 2003.~~

31 ~~However, these reports shall be required only if funds are available~~
32 ~~for allocation for this program.~~

33 *SEC. 2. Article 4.2 (commencing with Section 18733) of*
34 *Chapter 4 of Part 11 of the Education Code is repealed.*

35 *SEC. 3. Article 4.5 (commencing with Section 18735) of*
36 *Chapter 4 of Part 11 of the Education Code is repealed.*

37 *SEC. 4. Chapter 4.6 (commencing with Section 18880) is*
38 *added to Part 11 of the Education Code, to read:*

39



1 CHAPTER 4.6. CALIFORNIA ENGLISH ACQUISITION and LITERACY
2 PROGRAM

3
4 18880. (a) The California English Acquisition and Literacy
5 Program is hereby established within the California State Library
6 as a public library program designed to reduce illiteracy among
7 children and adults by providing English language literacy
8 instruction and related services to native and nonnative English
9 speaking youth and adults residing in California. For purposes of
10 this article, ‘English language literacy instruction’ means the
11 development of basic skills of speaking, reading, and writing in the
12 English language.

13 (b) The California State Library shall allocate funds
14 appropriated in the Budget Act for the California English
15 Acquisition and Literacy Program to local library jurisdictions
16 that are effectively providing literacy services.

17 (c) At local discretion, jurisdictions may use their allocation
18 from the State Literacy Program for any of the services described
19 in Section 18737.

20 (d) The California State Library shall provide local
21 jurisdictions with technical assistance to the extent that resources
22 are available for this purpose.

23 18881. The California English Acquisition and Literacy
24 Program for public libraries may be used for any of the following:

25 (a) (1) Services designed to reduce adult illiteracy by
26 providing English language literacy instruction and related
27 services to adults and youth who are not enrolled in school. A
28 participating public library may establish an adult literacy
29 instructional program that provides adult basic literacy instruction
30 and related services. Participant learning shall be evaluated on the
31 basis of statewide guidelines established by the State Librarian.

32 (2) The public library shall do all of the following in
33 establishing and implementing the program:

34 (A) Seek community and local government awareness of and
35 support for the program and develop a local commitment of
36 resources for the program’s continuation.

37 (B) Develop cooperative relationships with other local literacy
38 service providers and participate in existing community adult
39 literacy coalitions, in order to address the wide variety of literacy
40 needs of the community and ensure an effective utilization of



1 resources. The public library shall assist in the establishment of a
2 community adult literacy coalition if none currently exists.

3 (C) Recruit and train volunteers to provide tutoring and other
4 services in public library and other community settings.

5 (D) Certify that the local jurisdiction will provide the same
6 level of local and private fiscal support as it did in the preceding
7 fiscal year.

8 (b) (1) Services to prevent illiteracy through coordinated
9 literacy and preliteracy services to families that include illiterate
10 adults and young children. The program shall provide reading
11 preparation services for young children in public library settings
12 and shall instruct parents in reading to their children. In addition,
13 the program shall provide technical assistance, parent support, and
14 any resources and materials necessary for its implementation.

15 (2) A public library implementing this service shall meet all of
16 the following requirements:

17 (A) Offer new services to families with young children with the
18 goal of helping the children become successful readers by
19 increasing their general competence, self-confidence, and positive
20 emotional associations with reading as a family experience and
21 familiarity with the lifelong use of library resources. Recruitment
22 of parents not previously included in public library literacy
23 programs is a high priority.

24 (B) Families eligible for the program shall include, but not be
25 limited to, those with young children up to the age of five years.

26 (C) Program meetings shall be held in public library settings.

27 (D) The public library literacy program staff and children's
28 services staff shall work in close coordination with the State
29 Library in administering the program to assure maximum
30 integration of literacy services to parents and preliteracy services
31 to their children.

32 (3) Services offered by a public library under this subdivision
33 shall include the following:

34 (A) Acquisition of books, of appropriate reading levels for, and
35 containing subjects of interest to, children for ownership by young
36 children of families participating in the program.

37 (B) Regular meetings of parents and children in public library
38 settings during hours that are suitable for parents and their
39 children.



1 (C) Storytelling, word games, and other exercises designed to
2 promote enjoyment of reading in adults and children.

3 (D) Use of children's books and language experience stories
4 from the meetings as material for adult literacy instruction.

5 (E) Instruction for parents in book selection and reading aloud
6 to children.

7 (F) Services to enhance full family participation and to foster
8 a family environment conducive to reading.

9 (G) Assistance to parents in using services in order to access
10 books and other materials on such topics as parenting, child care,
11 health, nutrition, and family life education.

12 (H) Other services, as necessary to enable families to
13 participate in the program.

14 (c) Services for pupils in kindergarten and grades 1 to 12,
15 inclusive, and their families in local English language learner and
16 literacy programs. Local libraries may offer year-round literacy
17 and English language tutoring in collaboration with nonprofit and
18 other local organizations.

19 18883. A local library shall ensure that funds received
20 pursuant to this chapter are exclusively used for expenses resulting
21 from providing English language and literacy services and shall
22 ensure that at least 90 percent of the funds received for the program
23 are expended on direct services and supplies for English language
24 learners and their families.

25 ~~SEC. 31. Article 3.6 (commencing with Section 32228) of~~
26 ~~Chapter 2 of Part 19 of the Education Code is repealed.~~

27 ~~SEC. 32. Article 6 (commencing with Section 32296) of~~
28 ~~Chapter 2.5 of Part 19 of the Education Code is repealed.~~

29 ~~SEC. 33. Section 33050 of the Education Code is amended to~~
30 ~~read:~~

31 ~~33050. (a) The governing board of a school district or a~~
32 ~~county board of education, on a districtwide or countywide basis~~
33 ~~or on behalf of one or more of its schools or programs, after a~~
34 ~~public hearing on the matter, may request the State Board of~~
35 ~~Education to waive all or part of any section of this code or any~~
36 ~~regulation adopted by the State Board of Education that~~
37 ~~implements a provision of this code that may be waived, except:~~

38 ~~(1) Article 1 (commencing with Section 15700) and Article 2~~
39 ~~(commencing with Section 15780) of Chapter 4 of Part 10.~~

40 ~~(2) Chapter 6 (commencing with Section 16000) of Part 10.~~



- 1 ~~(3) Chapter 12 (commencing with Section 17000), Chapter~~
- 2 ~~12.5 (commencing with Section 17070.10), and Chapter 14~~
- 3 ~~(commencing with Section 17085) of Part 10.~~
- 4 ~~(4) Part 13 (commencing with Section 22000).~~
- 5 ~~(5) Section 35735.1.~~
- 6 ~~(6) Paragraph (8) of subdivision (a) of Section 37220.~~
- 7 ~~(7) The following provisions of Part 10.5 (commencing with~~
- 8 ~~Section 17211):~~
- 9 ~~(A) Chapter 1 (commencing with Section 17211).~~
- 10 ~~(B) Article 1 (commencing with Section 17251) to Article 6~~
- 11 ~~(commencing with Section 17365), inclusive, of Chapter 3.~~
- 12 ~~(C) Sections 17416 to 17429, inclusive; Sections 17459 and~~
- 13 ~~17462 and subdivision (a) of Section 17464; and Sections 17582~~
- 14 ~~to 17592, inclusive.~~
- 15 ~~(8) The following provisions of Part 24 (commencing with~~
- 16 ~~Section 41000):~~
- 17 ~~(A) Sections 41000 to 41360, inclusive.~~
- 18 ~~(B) Sections 41420 to 41423, inclusive.~~
- 19 ~~(C) Sections 41600 to 41835, inclusive.~~
- 20 ~~(D) Sections 41920 to 42911, inclusive.~~
- 21 ~~(9) Article 3 (commencing with Section 44930) of Chapter 4~~
- 22 ~~of Part 25 and regulations in Title 5 of the California Code of~~
- 23 ~~Regulations adopted pursuant to Article 3 (commencing with~~
- 24 ~~Section 44930) of Chapter 4 of Part 25.~~
- 25 ~~(10) Part 26 (commencing with Section 46000).~~
- 26 ~~(11) Chapter 6 (commencing with Section 48900) and Chapter~~
- 27 ~~6.5 (commencing with Section 49060) of Part 27.~~
- 28 ~~(12) Section 51513.~~
- 29 ~~(13) Chapter 6.10 (commencing with Section 52120) of Part~~
- 30 ~~28.~~
- 31 ~~(14) Section 52163.~~
- 32 ~~(15) The identification and assessment criteria relating to any~~
- 33 ~~categorical aid program, including Sections 52164.1 and 52164.6.~~
- 34 ~~(16) Sections 52165, 52166, and 52178.~~
- 35 ~~(17) Article 3 (commencing with Section 52850) of Chapter 12~~
- 36 ~~of Part 28.~~
- 37 ~~(18) Section 56364.1, except that this restriction shall not~~
- 38 ~~prohibit the State Board of Education from approving any waiver~~
- 39 ~~of Section 56364 or Section 56364.2, as applicable, relating to full~~
- 40 ~~inclusion.~~



1 ~~(19) Article 4 (commencing with Section 60640) of Chapter 5~~
2 ~~of Part 33, relating to the STAR Program, and any other provisions~~
3 ~~of Chapter 5 (commencing with Section 60600) of Part 33 that~~
4 ~~establish requirements for the STAR Program.~~

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

8 ~~(c) The waiver of an advisory committee required by law shall~~
9 ~~be granted only pursuant to Article 4 (commencing with Section~~
10 ~~52870) of Chapter 12 of Part 28.~~

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

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

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

21 ~~(e) The State Board of Education may not grant a waiver~~
22 ~~request to allow a pupil to be admitted to a regional occupational~~
23 ~~center or program or to credit his or her attendance to a regional~~
24 ~~occupational center or program if the pupil has not attained the age~~
25 ~~of 16 years, unless one of the following applies to the pupil:~~

26 ~~(1) The pupil is enrolled in grade 11 or 12.~~

27 ~~(2) The individualized education program of the pupil adopted~~
28 ~~pursuant to the requirements of Chapter 2 (commencing with~~
29 ~~Section 56300) of Part 30 prescribes occupational training for~~
30 ~~which his or her enrollment in a regional occupational center or~~
31 ~~program is deemed appropriate.~~

32 ~~(f) The governing board of any school district requesting a~~
33 ~~waiver under this section of any provision of Article 5~~
34 ~~(commencing with Section 39390) of Chapter 3 of Part 23 shall~~
35 ~~provide written notice of any public hearing it conducted pursuant~~
36 ~~to subdivision (a), at least 30 days prior to the hearing, to each~~
37 ~~public agency identified under Section 39394.~~

38 ~~SEC. 34. Article 6 (commencing with Section 33380) of~~
39 ~~Chapter 3 of Part 20 of the Education Code is repealed.~~



- 1 ~~SEC. 35. Article 12 (commencing with Section 33470) of~~
2 ~~Chapter 3 of Part 20 of the Education Code is repealed.~~
- 3 ~~SEC. 36. Article 10.3 (commencing with Section 35294) of~~
4 ~~Chapter 2 of Part 21 of the Education Code is repealed.~~
- 5 ~~SEC. 37. Article 10.4 (commencing with Section 35294.10)~~
6 ~~of Chapter 2 of Part 21 of the Education Code is repealed.~~
- 7 ~~SEC. 38. Article 2 (commencing with Section 39820) of~~
8 ~~Chapter 1 of Part 23.5 of the Education Code is repealed.~~
- 9 ~~SEC. 39. Article 9 (commencing with Section 41840) of~~
10 ~~Chapter 5 of Part 24 of the Education Code is repealed.~~
- 11 ~~SEC. 40. Article 10 (commencing with Section 41850) of~~
12 ~~Chapter 5 of Part 24 of the Education Code is repealed.~~
- 13 ~~SEC. 41. Section 41976 of the Education Code is repealed.~~
- 14 ~~SEC. 42. Section 41976.1 of the Education Code is repealed.~~
- 15 ~~SEC. 43. Section 41976.2 of the Education Code is repealed.~~
- 16 ~~SEC. 44. Section 42239.15 of the Education Code is repealed.~~
- 17 ~~SEC. 45. Article 4.5 (commencing with Section 42290) of~~
18 ~~Chapter 7 of Part 24 of the Education Code is repealed.~~
- 19 ~~SEC. 46. Article 4.7 (commencing with Section 42300) of~~
20 ~~Chapter 7 of Part 24 of the Education Code is repealed.~~
- 21 ~~SEC. 47. Chapter 11.3 (commencing with Section 42920) of~~
22 ~~Part 24 of the Education Code is repealed.~~
- 23 ~~SEC. 48. Section 44259.4 is added to the Education Code, to~~
24 ~~read:~~
- 25 ~~44259.4. Notwithstanding any provision of law, except~~
26 ~~Sections 44332.6, 44340, 44346.1, and 44830.1, the commission~~
27 ~~shall issue a professional clear credential to the holder of a~~
28 ~~preliminary multiple subject, single subject, or education~~
29 ~~specialist teaching credential who attains certification from the~~
30 ~~National Board for Professional Teaching Standards. The~~
31 ~~professional clear credential issued pursuant to this section shall~~
32 ~~authorize the holder to teach in the area that the commission~~
33 ~~determines is equivalent to the certificate field in which the teacher~~
34 ~~received certification from the National Board for Professional~~
35 ~~Teaching Standards.~~
- 36 ~~SEC. 49. Section 44274.3 is added to the Education Code, to~~
37 ~~read:~~
- 38 ~~44274.3. Notwithstanding any provision of law except~~
39 ~~Sections 44332.6, 44340, 44346.1, and 44830.1, a teacher who is~~
40 ~~licensed to teach in a state other than California and who is~~



1 ~~certified by the National Board for Professional Teaching~~
2 ~~Standards shall be issued a clear teaching credential authorizing~~
3 ~~the teacher to teach in the subject area in which the teacher has~~
4 ~~received national certification.~~

5 ~~SEC. 50. Article 4.5 (commencing with Section 44279.1) of~~
6 ~~Chapter 2 of Part 25 of the Education Code is repealed.~~

7 ~~SEC. 51. Article 13 (commencing with Section 44395) of~~
8 ~~Chapter 2 of Part 25 of the Education Code is repealed.~~

9 ~~SEC. 52. Article 4.5 (commencing with Section 44500) of~~
10 ~~Chapter 3 of Part 25 of the Education Code is repealed.~~

11 ~~SEC. 53. Article 7.5 (commencing with Section 44579) of~~
12 ~~Chapter 3 of Part 25 of the Education Code is repealed.~~

13 ~~SEC. 54. Article 10.6 (commencing with Section 44650) of~~
14 ~~Chapter 3 of Part 25 of the Education Code is repealed.~~

15 ~~SEC. 55. Article 3 (commencing with Section 44681) of~~
16 ~~Chapter 3.1 of Part 25 of the Education Code is repealed.~~

17 ~~SEC. 56. Chapter 3.36 (commencing with Section 44735) of~~
18 ~~Part 25 of the Education Code is repealed.~~

19 ~~SEC. 57. Chapter 3.44 (commencing with Section 44751) of~~
20 ~~Part 25 of the Education Code is repealed.~~

21 ~~SEC. 58. Article 8.5 (commencing with Section 45370) of~~
22 ~~Chapter 5 of Part 25 of the Education Code is repealed.~~

23 ~~SEC. 59. Section 46140 of the Education Code is amended to~~
24 ~~read:~~

25 ~~46140. No pupil in a high school, other than a pupil enrolled~~
26 ~~in an evening high school, continuation high school, or~~
27 ~~continuation education class, shall be credited with more than one~~
28 ~~day of attendance in any calendar day and nothing in this article~~
29 ~~shall be construed to the contrary.~~

30 ~~SEC. 60. Section 46140.1 of the Education Code is repealed.~~

31 ~~SEC. 61. Section 46140.5 of the Education Code is repealed.~~

32 ~~SEC. 62. Section 46141 of the Education Code is amended to~~
33 ~~read:~~

34 ~~46141. The minimum schoolday in any high school, except in~~
35 ~~an evening high school, an opportunity school and in opportunity~~
36 ~~classes, a continuation high school, in continuation education~~
37 ~~classes, in late afternoon or Saturday occupationally organized~~
38 ~~vocational training programs conducted under a federally~~
39 ~~approved plan for vocational education, and for students enrolled~~
40 ~~in a work experience education program approved under Article~~



1 ~~7 (commencing with Section 51760) of Chapter 5 of Part 28, is 240~~
2 ~~minutes.~~

3 ~~SEC. 63. Section 46145 of the Education Code is amended to~~
4 ~~read:~~

5 ~~46145. Pupils in grade 12 shall be enrolled in at least five~~
6 ~~courses each semester or the equivalent number of courses per~~
7 ~~quarter. If any pupil in grade 12 is required by medical prescription~~
8 ~~to attend school for less than five courses during the semester or~~
9 ~~the equivalent number of courses during the quarter, the average~~
10 ~~daily attendance allowed for that pupil's attendance shall bear the~~
11 ~~same proportion to one day of attendance as the number of courses~~
12 ~~in which the pupil is enrolled bears to five or the equivalent~~
13 ~~number for the quarter system.~~

14 ~~However, this requirement does not apply to pupils enrolled in~~
15 ~~courses at accredited postsecondary educational institutions;~~
16 ~~independent study, special education programs where the pupil's~~
17 ~~individualized education program establishes a different number~~
18 ~~of courses, continuation education classes, work experience~~
19 ~~education programs approved under the provisions of Article 7~~
20 ~~(commencing with Section 51760) of Chapter 5 of Part 28, or any~~
21 ~~other course of study authorized by the governing board which is~~
22 ~~equivalent to the approved high school course of study.~~

23 ~~SEC. 64. Article 7 (commencing with Section 46190) of~~
24 ~~Chapter 2 of Part 26 of the Education Code is repealed.~~

25 ~~SEC. 65. Article 5 (commencing with Section 46351) of~~
26 ~~Chapter 3 of Part 26 of the Education Code is repealed.~~

27 ~~SEC. 66. Section 47614.5 of the Education Code is repealed.~~

28 ~~SEC. 67. Section 47634 of the Education Code is repealed.~~

29 ~~SEC. 68. Section 47634.3 of the Education Code is amended~~
30 ~~to read:~~

31 ~~47634.3. For purposes of Section 47633, the superintendent~~
32 ~~shall compute average daily attendance in each of grades 1 through~~
33 ~~12, respectively, as follows:~~

34 ~~(a) Distribute statewide total ungraded enrollment and average~~
35 ~~daily attendance among kindergarten and each of grades 1 through~~
36 ~~12, inclusive, in proportion to the amounts of graded enrollment~~
37 ~~and average daily attendance, respectively, in each of these grades.~~

38 ~~(b) Multiply enrollment in each of grades 1 through 12,~~
39 ~~respectively, by the ratio of average daily attendance to enrollment~~



- 1 ~~in the applicable grade range: 1 through 3, inclusive, 4 through 6,~~
2 ~~inclusive; 7 and 8; and 9 through 12, inclusive.~~
- 3 ~~SEC. 69.—Section 47634.5 of the Education Code is repealed.~~
- 4 ~~SEC. 70.—Part 26.95 (commencing with Section 47750) of the~~
5 ~~Education Code is repealed.~~
- 6 ~~SEC. 71.—Section 48431.6 of the Education Code is repealed.~~
- 7 ~~SEC. 72.—Section 48431.7 of the Education Code is repealed.~~
- 8 ~~SEC. 73.—Article 2 (commencing with Section 48630) of~~
9 ~~Chapter 4 of Part 27 of the Education Code is repealed.~~
- 10 ~~SEC. 74.—Article 2.3 (commencing with Section 48643) of~~
11 ~~Chapter 4 of Part 27 of the Education Code is repealed.~~
- 12 ~~SEC. 75.—Section 49550.3 of the Education Code is amended~~
13 ~~to read:~~
- 14 ~~49550.3.—(a) Because a hungry child cannot learn, the~~
15 ~~Legislature intends, as a state nutrition and health policy, that the~~
16 ~~School Breakfast Program be made available in all schools where~~
17 ~~it is needed to provide adequate nutrition for children in~~
18 ~~attendance.~~
- 19 ~~(b) The State Department of Education shall, in cooperation~~
20 ~~with school districts and county superintendents of schools,~~
21 ~~provide information to school districts and county superintendents~~
22 ~~of schools concerning the benefits and availability of the School~~
23 ~~Breakfast Program.~~
- 24 ~~SEC. 76.—Section 51056 of the Education Code is repealed.~~
- 25 ~~SEC. 77.—Section 51871 of the Education Code is amended to~~
26 ~~read:~~
- 27 ~~51871.—The California Technology Assistance Project shall be~~
28 ~~established by the State Department of Education to administer a~~
29 ~~regionalized network of technical assistance to schools and school~~
30 ~~districts on the implementation of education technology as set~~
31 ~~forth in policies of the State Board of Education. The California~~
32 ~~Technology Assistance Project shall be composed of regional~~
33 ~~consortia that will work collaboratively with school districts and~~
34 ~~county offices of education in order to meet locally defined~~
35 ~~technology based needs, as identified in the certified technology~~
36 ~~plans for their client school districts, including, but not necessarily~~
37 ~~limited to, all of the following areas:~~
- 38 ~~(a) Staff development.~~
- 39 ~~(b) Learning resources.~~
- 40 ~~(c) Hardware.~~



- 1 ~~(d) Telecommunications infrastructure.~~
- 2 ~~(e) Technical assistance to school districts in developing a~~
- 3 ~~support system to operate and maintain an education technology~~
- 4 ~~infrastructure, including improving pupil recordkeeping and~~
- 5 ~~tracking related to pupil instruction.~~
- 6 ~~(f) Coordination with other federal, state, and local programs.~~
- 7 ~~(g) Funding.~~
- 8 ~~SEC. 78.—Section 51871.3 of the Education Code is repealed.~~
- 9 ~~SEC. 79.—Section 51871.4 of the Education Code is repealed.~~
- 10 ~~SEC. 80.—Section 51872 of the Education Code is repealed.~~
- 11 ~~SEC. 81.—Section 51873 of the Education Code is repealed.~~
- 12 ~~SEC. 82.—Section 51874 of the Education Code is repealed.~~
- 13 ~~SEC. 83.—Chapter 6 (commencing with Section 52000) of Part~~
- 14 ~~28 of the Education Code is repealed.~~
- 15 ~~SEC. 84.—Chapter 6.5 (commencing with Section 52060) of~~
- 16 ~~Part 28 of the Education Code is repealed.~~
- 17 ~~SEC. 85.—Chapter 6.8 (commencing with Section 52080) of~~
- 18 ~~Part 28 of the Education Code is repealed.~~
- 19 ~~SEC. 86.—Article 4 (commencing with Section 52180) of~~
- 20 ~~Chapter 7 of Part 28 of the Education Code is repealed.~~
- 21 ~~SEC. 87.—Chapter 8 (commencing with Section 52200) of Part~~
- 22 ~~28 of the Education Code is repealed.~~
- 23 ~~SEC. 88.—Chapter 8.3 (commencing with Section 52240) of~~
- 24 ~~Part 28 of the Education Code is repealed.~~
- 25 ~~SEC. 89.—Section 52247 of the Education Code is repealed.~~
- 26 ~~SEC. 90.—Article 1 (commencing with Section 52300) of~~
- 27 ~~Chapter 9 of Part 28 of the Education Code is repealed.~~
- 28 ~~SEC. 91.—Article 1.5 (commencing with Section 52335) of~~
- 29 ~~Chapter 9 of Part 28 of the Education Code is repealed.~~
- 30 ~~SEC. 92.—Article 7.5 (commencing with Section 52460) of~~
- 31 ~~Chapter 9 of Part 28 of the Education Code is repealed.~~
- 32 ~~SEC. 93.—Article 8 (commencing with Section 52480) of~~
- 33 ~~Chapter 9 of Part 28 of the Education Code is repealed.~~
- 34 ~~SEC. 94.—Chapter 10 (commencing with Section 52500) of~~
- 35 ~~Part 28 of the Education Code is repealed.~~
- 36 ~~SEC. 95.—Article 7 (commencing with Section 52900) of~~
- 37 ~~Chapter 12 of Part 28 of the Education Code is repealed.~~
- 38 ~~SEC. 96.—Chapter 12.5 (commencing with Section 52920) of~~
- 39 ~~Part 28 of the Education Code is repealed.~~



1 ~~SEC. 97. Article 1 (commencing with Section 53025) of~~
 2 ~~Chapter 16 of Part 28 of the Education Code is repealed.~~

3 ~~SEC. 98. Chapter 18 (commencing with Section 53091) of~~
 4 ~~Part 28 of the Education Code is repealed.~~

5 ~~SEC. 99. Chapter 19 (commencing with Section 53200) is~~
 6 ~~added to Part 28 of the Education Code, to read:~~

7
 8 ~~CHAPTER 19. INSTRUCTIONAL IMPROVEMENT BLOCK GRANT~~
 9

10 ~~53200. (a) The instructional improvement block grant~~
 11 ~~program for kindergarten and grades 1 to 12, inclusive, is hereby~~
 12 ~~established. It is the intent of the Legislature to provide local~~
 13 ~~educational agencies with greater flexibility to address their~~
 14 ~~priority needs for support of classroom education using funds~~
 15 ~~provided for this purpose through the annual Budget Act and~~
 16 ~~Sections 92.2 and 92.3 of the Revenue and Taxation Code.~~

17 ~~(b) For purposes of this chapter, a "local educational agency"~~
 18 ~~is a school district, county office of education, charter school, or~~
 19 ~~Indian education agency, that received direct categorical funding~~
 20 ~~from the state in the 2002-03 fiscal year, or is thereafter authorized~~
 21 ~~by the State Board of Education as a local educational agency~~
 22 ~~eligible for the receipt of funds.~~

23 ~~(c) A local educational agency shall use the block grant for the~~
 24 ~~purposes of professional development, instructional materials and~~
 25 ~~technology, specialized and targeted instruction programs, school~~
 26 ~~safety, pupil services, and facilities maintenance or any for the~~
 27 ~~general purposes authorized by the following sections as they read~~
 28 ~~on January 1, 2003:~~

29 ~~(1) Chapter 4 (commencing with Section 400) of Part 1, which~~
 30 ~~relates to the English Language Acquisition Program.~~

31 ~~(2) Sections 1904, 1908, 1909, and 1909.5 and Article 9~~
 32 ~~(commencing with Section 41840) of Chapter 5 of Part 24, which~~
 33 ~~relate to the education of prisoners.~~

34 ~~(3) Article 8 (commencing with Section 8150) of Chapter 1 of~~
 35 ~~Part 6, which relates to apprenticeship education.~~

36 ~~(4) Sections 8532, 8533, 8534, 8535, 8536, 8637, 8538, 41976,~~
 37 ~~41976.1, 41976.2, and 51056, Article 7 (commencing with~~
 38 ~~Section 46190) of Chapter 2 of Part 26, Article 5 (commencing~~
 39 ~~with Section 46351) of Chapter 3 of Part 26, and Chapter 10~~



- 1 ~~(commencing with Section 52500) of Part 28, which relate to adult~~
2 ~~education.~~
- 3 ~~(5) Sections 17583, 17584, 17584.1, 17585, 17586, 17587,~~
4 ~~17588, 17589, 17590, 17591, and 17592, which relate to deferred~~
5 ~~maintenance.~~
- 6 ~~(6) Part 8.5 (commencing with Section 13000), which relates~~
7 ~~to the civil liberties public education.~~
- 8 ~~(7) Article 8 (commencing with Section 18202) of Chapter 2~~
9 ~~of Chapter 4 of Part 11, which relates to classroom library~~
10 ~~materials.~~
- 11 ~~(8) Article 6 (commencing with Section 33380) of Chapter 3~~
12 ~~of Part 20, which relate to Indian education centers.~~
- 13 ~~(9) Article 12 (commencing with Section 33470) of Chapter 3~~
14 ~~of Part 20, which relates the intergenerational education programs.~~
- 15 ~~(10) Sections 35179.1, 35179.2, and 35179.3, which relate to~~
16 ~~coaching education and training.~~
- 17 ~~(11) Article 2 (commencing with Section 39820) of Chapter 1~~
18 ~~of Part 23.5, Article 10 (commencing with Section 41850) of~~
19 ~~Chapter 5 of, Article 4.5 (commencing with Section 42290) of~~
20 ~~Chapter 7 of, and Article 4.7 (commencing with Section 42300)~~
21 ~~of Chapter 7 of, Part 24 which relate to transportation.~~
- 22 ~~(12) Chapter 11.3 (commencing with Section 42920) of Part~~
23 ~~24, which relates to the education of foster children.~~
- 24 ~~(13) Article 4.5 (commencing with Section 44279.1) of~~
25 ~~Chapter 2 of Part 25, which relates to beginning teacher support~~
26 ~~and assessment.~~
- 27 ~~(14) Article 13 (commencing with Section 44395) of Chapter~~
28 ~~2 of Part 25, which relates to incentives for certification from the~~
29 ~~National Board for Professional Teaching Standards.~~
- 30 ~~(15) Article 4.5 (commencing with Section 44500) of Chapter~~
31 ~~3 of Part 25, which relates to peer assistance and review for~~
32 ~~teachers.~~
- 33 ~~(16) Article 7.5 (commencing with Section 44579) of Chapter~~
34 ~~3 of Part 25, which relates to staff development.~~
- 35 ~~(17) Article 10.6 (commencing with Section 44650) of Chapter~~
36 ~~3 of Part 25, which relates to performance awards for teachers.~~
- 37 ~~(18) Article 3 (commencing with Section 44681) of Chapter~~
38 ~~3.1 of Part 25, which relates to administrator training and~~
39 ~~evaluation.~~



- 1 ~~(19) Chapter 3.36 (commencing with Section 44735) of Part~~
2 ~~25, which relates to the teaching as a priority block grant.~~
- 3 ~~(20) Chapter 3.44 (commencing with Section 44751) of Part~~
4 ~~25, which relates to teacher recruitment centers.~~
- 5 ~~(21) Article 8.5 (commencing with Section 45370) of Chapter~~
6 ~~5 of Part 25, which relates to readers for legally blind teachers.~~
- 7 ~~(22) Article 5 (commencing with Section 46351) of Chapter 3~~
8 ~~of Part 26, which relates to interdistrict attendance agreements.~~
- 9 ~~(23) Section 47614.5 which relates to grants for charter school~~
10 ~~facilities.~~
- 11 ~~(24) Sections 47634 and 47635, which relate to charter school~~
12 ~~funding.~~
- 13 ~~(25) Article 2 (commencing with Section 48630) of, and~~
14 ~~Article 2.3 (commencing with Section 48643) of, Chapter 4 of Part~~
15 ~~27, which relate to opportunity schools.~~
- 16 ~~(26) Sections 51870.5, 51871.3, 51871.4, 51872, 51873, and~~
17 ~~51874, relating to education technology.~~
- 18 ~~(27) Chapter 6 (commencing with Section 52000) of Part 28,~~
19 ~~which relate to improvement of elementary and secondary~~
20 ~~education.~~
- 21 ~~(28) Chapter 6.5 (commencing with Section 52060) of Part 28,~~
22 ~~which relates to programs of early childhood education for~~
23 ~~American Indians.~~
- 24 ~~(29) Chapter 6.8 (commencing with Section 52080) of Part 28,~~
25 ~~which relates to class-size reduction in grade 9.~~
- 26 ~~(30) Article 4 (commencing with Section 52180) of Chapter 7~~
27 ~~of Part 28, which relates to training assistance for bilingual~~
28 ~~teachers.~~
- 29 ~~(31) Section 52247, which relates to the Advanced Placement~~
30 ~~Challenge Grant Program.~~
- 31 ~~(32) Sections 46140.1 and 46140.5 and Article 1 (commencing~~
32 ~~with Section 52300) and Article 1.5 (commencing with Section~~
33 ~~52335) of Chapter 9 of Part 28, which relate to regional~~
34 ~~occupational centers and programs.~~
- 35 ~~(33) Article 7.5 (commencing with Section 52460) of Chapter~~
36 ~~9 of Part 28, which relates to incentives for agricultural career~~
37 ~~technical education.~~
- 38 ~~(34) Article 8 (commencing with Section 52480) of Chapter 9~~
39 ~~of Part 28, which relates to the Institute for Computer Technology.~~



1 ~~(35) Article 1 (commencing with Section 53025) of Chapter 16~~
2 ~~of Part 28, which relates to the Elementary School Intensive~~
3 ~~Reading Program.~~

4 ~~(36) Chapter 17 (commencing with Section 53080) of Part 28,~~
5 ~~which relates to school to career initiatives.~~

6 ~~(37) Section 42239.15 and Chapter 18 (commencing with~~
7 ~~Section 53091) of Part 28, which relate to intensive algebra~~
8 ~~instruction.~~

9 ~~(38) Article 1 (commencing with Section 54000) and Article 2~~
10 ~~(commencing with Section 54020) of Chapter 1 of Part 29, which~~
11 ~~relate to economic impact aid.~~

12 ~~(39) Chapter 2 (commencing with Section 54100) of Part 29,~~
13 ~~which relates to the Miller-Unruh reading program.~~

14 ~~(40) Chapter 2.5 (commencing with Section 54200) of Part 29,~~
15 ~~which relates to grants for targeted instructional improvement.~~

16 ~~(41) Article 4.5 (commencing with Section 54685) of Chapter~~
17 ~~9 of Part 29, which relates to the Early Intervention for School~~
18 ~~Success Program.~~

19 ~~(42) Article 5 (commencing with Section 54690) of Chapter 9~~
20 ~~of Part 29, which relate to partnership academies.~~

21 ~~(43) Article 9 (commencing with Section 54760) of Chapter 9~~
22 ~~of Part 29, which relates to supplemental grants.~~

23 ~~(44) Chapter 6 (commencing with Section 58800) of Part 31,~~
24 ~~which relates to specialized secondary programs.~~

25 ~~(45) Sections 60420, 60421, and 60424, which relate to~~
26 ~~instructional materials.~~

27 ~~(46) Chapter 7 (commencing with Section 93300) of Part 65,~~
28 ~~which relates to the Student Academic Partnership Program.~~

29 ~~(d) A local educational agency that is required to comply with~~
30 ~~court orders for desegregation shall first use the instructional~~
31 ~~improvement block grant funds for that purpose.~~

32 ~~53201. — (a) The Superintendent of Public Instruction shall~~
33 ~~prorate funds appropriated for the instructional improvement~~
34 ~~block grant to each local educational agency on an average daily~~
35 ~~attendance basis, so that funding for an agency that received~~
36 ~~categorical funding in the 2002–03 fiscal year is proportional to~~
37 ~~the total amount of state funds provided to each local educational~~
38 ~~agency per unit of average daily attendance in 2002–03 fiscal year~~
39 ~~for the programs listed in subdivision (c) of Section 53200~~
40 ~~compared to the total of appropriations for those programs in the~~



1 ~~2002-03 fiscal year divided by the total average daily attendance~~
2 ~~in the 2002-03 fiscal year. New charter schools shall receive~~
3 ~~prorated funding on an average daily attendance basis from within~~
4 ~~the share of funding for charter schools determined above and all~~
5 ~~other charter school block grant funding allocations shall be~~
6 ~~adjusted accordingly.~~

7 ~~(b) Payments from the block grant to local educational~~
8 ~~agencies shall be made pursuant to the schedule in Section 14041.~~
9 ~~Initial payments may not be made any later than 30 days after~~
10 ~~enactment of the Budget Act or the first date provided under~~
11 ~~Section 14041, whichever date is later. For purposes of~~
12 ~~determining final allocations for each year, the department shall~~
13 ~~use average daily attendance as certified at the second principal~~
14 ~~apportionment. The Superintendent of Public Instruction shall~~
15 ~~adjust any over or under funding at the first and second principal~~
16 ~~apportionment.~~

17 ~~53202. Notwithstanding Chapter 3.5 (commencing with~~
18 ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~
19 ~~Code, all regulations that are authorized by statutes that have been~~
20 ~~repealed that created the instructional improvement block grant~~
21 ~~are inoperative as of the effective date of the act adding this section~~
22 ~~and are deemed repealed, except as provided in Section 53203.~~

23 ~~53203. (a) To the extent the National Board Certification~~
24 ~~Incentives program created a statutory entitlement prior to July 1,~~
25 ~~2003, to some person or persons for payment of funds at some time~~
26 ~~after the repeal of the authorizing statute, the entitlement shall~~
27 ~~remain and each school district, county office of education, charter~~
28 ~~school, or other agency receiving funds from the instructional~~
29 ~~improvement block grant is responsible for making those~~
30 ~~payments from instructional improvement block grant funds.~~
31 ~~Upon appropriation of funds for the instructional improvement~~
32 ~~block grant, the Superintendent of Public Instruction shall first set~~
33 ~~aside eleven million five hundred thousand dollars (\$11,500,000)~~
34 ~~to reimburse local educational agencies for participants receiving~~
35 ~~National Board Certification prior to July 1, 2003. The~~
36 ~~Superintendent of Public Instruction shall reimburse payments~~
37 ~~from the block grant appropriation upon certification from a local~~
38 ~~education agency that it and the persons claiming the payment~~
39 ~~complied with all of the program requirements as they existed~~
40 ~~before their repeal.~~



1 ~~(b) To the extent necessary to administer payments for fiscal~~
2 ~~years in which categorical programs repealed to create the~~
3 ~~categorical block grant were funded or to reimburse payments as~~
4 ~~authorized in subdivision (a), the statutory provisions and any~~
5 ~~related regulations shall be deemed to be in effect.~~

6 ~~(c) A school district, county office of education, charter school,~~
7 ~~or other educational agency receiving funds from the instructional~~
8 ~~improvement block grant is not obligated to continue any program~~
9 ~~or offer any service provided pursuant to any program repealed, as~~
10 ~~of July 1, 2003, to create the block grant. Any contracts or other~~
11 ~~obligations that continue after June 30, 2003, that local education~~
12 ~~agencies entered into in anticipation of continued funding for the~~
13 ~~repealed categorical programs are a local responsibility not~~
14 ~~mandated by the state. After June 30, 2003, a local educational~~
15 ~~agency may voluntarily continue any program or create any~~
16 ~~obligation authorized pursuant to any of the repealed statutes but~~
17 ~~no obligation for those local actions shall attach to the State of~~
18 ~~California by virtue of those voluntary actions.~~

19 ~~SEC. 100. Article 1 (commencing with Section 54000) of~~
20 ~~Chapter 1 of Part 29 of the Education Code is repealed.~~

21 ~~SEC. 101. Article 2 (commencing with Section 54020) of~~
22 ~~Chapter 1 of Part 29 of the Education Code is repealed.~~

23 ~~SEC. 102. Chapter 2 (commencing with Section 54100) of~~
24 ~~Part 29 of the Education Code is repealed.~~

25 ~~SEC. 103. Chapter 2.5 (commencing with Section 54200) of~~
26 ~~Part 29 of the Education Code is repealed.~~

27 ~~SEC. 104. Article 4.5 (commencing with Section 54685) of~~
28 ~~Chapter 9 of Part 29 of the Education Code is repealed.~~

29 ~~SEC. 105. Article 5 (commencing with Section 54690) of~~
30 ~~Chapter 9 of Part 29 of the Education Code is repealed.~~

31 ~~SEC. 106. Article 7 (commencing with Section 54720) of~~
32 ~~Chapter 9 of Part 29 of the Education Code is repealed.~~

33 ~~SEC. 107. Article 7.1 (commencing with Section 54740) of~~
34 ~~Chapter 9 of Part 29 of the Education Code is repealed.~~

35 ~~SEC. 108. Article 9 (commencing with Section 54760) of~~
36 ~~Chapter 9 of Part 29 of the Education Code is repealed.~~

37 ~~SEC. 109. Chapter 3.5 (commencing with Section 58550) of~~
38 ~~Part 31 of the Education Code is repealed.~~

39 ~~SEC. 110. Chapter 5.5 (commencing with Section 58730) of~~
40 ~~Part 31 of the Education Code is repealed.~~



1 ~~SEC. 111.—Chapter 6 (commencing with Section 58800) of~~
2 ~~Part 31 of the Education Code is repealed.~~

3 ~~SEC. 112.—Section 60420 of the Education Code is repealed.~~

4 ~~SEC. 113.—Section 60421 of the Education Code is repealed.~~

5 ~~SEC. 114.—Section 60422 of the Education Code is amended~~
6 ~~to read:~~

7 ~~60422.—(a) A local governing board that uses its block grant~~
8 ~~funding for instructional materials shall ensure that each pupil is~~
9 ~~provided with a standards-aligned textbook or basic instructional~~
10 ~~materials, as adopted by the State Board of Education subsequent~~
11 ~~to the adoption of content standards pursuant to Section 60605 for~~
12 ~~kindergarten and grades 1 to 8, inclusive, or as adopted by the local~~
13 ~~governing board pursuant to Sections 60400 and 60411, for grades~~
14 ~~9 to 12, inclusive. Pupils shall be provided with standards-aligned~~
15 ~~textbooks or basic instructional materials by the beginning of the~~
16 ~~first school term that commences no later than 24 months after~~
17 ~~those materials were adopted by the State Board of Education.~~

18 ~~(b) Once a governing board certifies compliance with~~
19 ~~subdivision (a) with regard to standards-aligned instructional~~
20 ~~materials in the core curriculum areas of reading/language arts,~~
21 ~~mathematics, science, and history/social sciences, and if the~~
22 ~~governing board of a school district has met the eligibility~~
23 ~~requirements of Section 60119, the remaining funds may only be~~
24 ~~used consistent with subdivision (a) of Section 60242 and pursuant~~
25 ~~to Section 60242.5.~~

26 ~~(c) The State Board of Education may grant the school district~~
27 ~~additional time to meet the purchasing requirements of~~
28 ~~subdivision (a) if the governing board of the school district~~
29 ~~demonstrates, to the satisfaction of the state board, that all of the~~
30 ~~following criteria apply to the district:~~

31 ~~(1) The school district has implemented a well-designed,~~
32 ~~standards-aligned basic instructional materials program.~~

33 ~~(2) The school district, at the time of its request for additional~~
34 ~~time pursuant to this subdivision, has sufficient textbooks or basic~~
35 ~~instructional materials for use by each pupil.~~

36 ~~(3) The school district has adopted a plan for the purchase of~~
37 ~~standards-aligned instructional materials in accordance with~~
38 ~~subdivision (a) but that plan indicated an alternative date for~~
39 ~~compliance that is declared in the request for additional time.~~



1 ~~(d) The funds provided for the purchase of instructional~~
2 ~~materials in Schedules 1 and 2 of Item 6110-189-0001 and~~
3 ~~paragraph 6 of Item 6110-485 of Section 2.00 of the Budget Act~~
4 ~~of 2002 shall be used for the purposes of, and allocated consistent~~
5 ~~with, this chapter.~~

6 ~~SEC. 115.—Section 60424 of the Education Code is repealed.~~

7 ~~SEC. 116.—Chapter 8 (commencing with Section 60830) of~~
8 ~~Part 33 of the Education Code is repealed.~~

9 ~~SEC. 117.—The balance remaining in the Reader Employment~~
10 ~~Fund established by Section 45371 of the Education Code as of the~~
11 ~~effective date of this act shall revert to the Proposition 98~~
12 ~~Reversion Account.~~

