

AMENDED IN SENATE MAY 3, 2006
AMENDED IN SENATE APRIL 17, 2006
AMENDED IN SENATE MARCH 14, 2006

SENATE BILL

No. 1170

Introduced by Senator Alquist
(Coauthors: Assembly Members Coto and Lieber)

January 12, 2006

An act to add Section 47632.7 to the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1170, as amended, Alquist. Charter schools: funding.

The existing Charter Schools Act of 1992 authorizes and provides a procedure for the establishment of charter schools. Under existing law, charter schools receive public funding in accordance with specified provisions. Existing law provides for the apportionment of revenue limit and supplemental funding, as specified, to school districts that operate community day schools. Existing law provides that the minimum schoolday in a community day school for purposes of calculating that funding is 360 minutes of classroom instruction provided by a certificated employee of the school district reporting the attendance.

This bill would provide that charter schools that exclusively serve at-risk pupils and operate under a charter approved by the County Board of Education for, or by a school district in, the County of Santa Clara to serve at-risk pupils shall receive revenue limit and supplemental funding, as specified, as if they were community day schools operated by the county or by a school district in the county.

The bill would provide that, for purposes of making those revenue limit and supplemental funding calculations for charter schools, “classroom instruction” means any time during which pupils are participating in an educational activity under the immediate supervision and control of a certificated employee of the applicable school district or county office of education.

This bill would further provide that these charter schools are subject to the average daily attendance limitations that apply to a county office of education, as specified.

This bill would make certain findings and declarations regarding the inapplicability of a general statute within the meaning of Section 16 of Article IV of the California Constitution.

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. Section 47632.7 is added to the Education
2 Code, to read:

3 47632.7. (a) A charter school that exclusively serves at-risk
4 pupils and operates under a charter to serve at-risk pupils
5 approved by the County Board of Education for, or by a school
6 district in, the County of Santa Clara shall receive revenue limit
7 and supplemental funding pursuant to Article 3 (commencing
8 with Section 48660) of Chapter 4 of Part 27 of the Education
9 Code, as if it were a community day school operated by the
10 county or by a school district in the county.

11 (b) Notwithstanding Sections 46300 and 48663, for purposes
12 of calculating the revenue limit and supplemental funding of a
13 charter school pursuant to subdivision (a), “classroom
14 instruction” means any time during which pupils are participating
15 in an educational activity under the immediate supervision and
16 control of a certificated employee of the applicable school district
17 or county office of education.

18 (c) *A charter school described in subdivision (a) shall be*
19 *subject to the limitation on average daily attendance that applies*
20 *to a county office of education pursuant to subdivision (a) of*
21 *Section 48664.*

22 SEC. 2. The Legislature finds and declares that a special law
23 is necessary and that a general law cannot be made applicable

1 within the meaning of Section 16 of Article IV of the California
2 Constitution because of the financial circumstances of charter
3 schools that primarily serve at-risk pupils and operates under
4 charters approved by the County Board of Education for, or by a
5 school district in, the County of Santa Clara.

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