

## Senate Bill No. 273

### CHAPTER 170

An act to amend Sections 33382 and 33383 of the Education Code, relating to education.

[Approved by Governor July 30, 2007. Filed with  
Secretary of State July 30, 2007.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 273, Ackerman. Education: American Indian education centers.

(1) Existing law establishes within the State Department of Education an American Indian Education Unit to provide technical support to, and administrative oversight of, American Indian education programs established by the state in order to ensure certain matters, and prescribes certain duties of the unit.

The Superintendent of Public Instruction, with input from existing American Indian education center directors, is required to appoint an American Indian Education Oversight Committee by January 30, 2007. The committee is required to provide input and advice to the Superintendent on all aspects of American Indian education programs established by the state.

The State Board of Education, upon the advice and recommendations of the Superintendent, is required to approve revised guidelines for the selection and administration of American Indian education centers. The amendments and updates to the 1975 guidelines require the input of, and majority approval by, the American Indian Education Oversight Committee prior to the submission of the guidelines to the State Board.

This bill would require the Superintendent to request input from the committee regarding changes to the 1975 guidelines, rather than requiring that the committee provide input on, and approval of, changes to the guidelines, prior to the submission of the guidelines to the State Board.

(2) Existing law permits the application for the establishment of a California American Indian education center to be made to the department by any tribal group or incorporated American Indian association, separately or jointly, upon forms provided by the department. The department is required to determine the funding levels for each center and any new programs to be created and to consider recommendations made by an advisory committee regarding center funding levels. Funding is permitted to be carried forward from a previous fiscal year for use during the subsequent summer months if deemed necessary by the department to carry out the purposes of the American Indian education programs.

The bill would delete the requirement that the department determine the funding levels for each center and the requirements for the involvement of an advisory committee to make recommendations regarding those funding

levels. The authorization to carry forward funding from a previous fiscal year also would be removed.

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

SECTION 1. Section 33382 of the Education Code is amended to read:  
33382. The State Board, upon the advice and recommendations of the Superintendent, shall approve revised guidelines for the selection and administration of California American Indian education centers. The Superintendent shall request input from the American Indian Education Oversight Committee on amendments and updates to the 1975 guidelines and the committee may provide input to the Superintendent prior to the submission of the guidelines to the State Board.

SEC. 2. Section 33383 of the Education Code is amended to read:

33383. (a) An application for the establishment of a California American Indian education center may be made to the department by any tribal group or incorporated American Indian association, separately or jointly, upon forms provided by the department. Funding for existing centers or a new center shall not exceed funding provided for these purposes in the annual Budget Act or another statute. The department shall evaluate and rank the proposals for funding purposes.

(b) An application for funding by a California American Indian education center shall be ranked and approved on the basis of all of the following criteria:

(1) The application is designed to achieve measurable objectives for the center.

(2) The degree of commitment of the applicant to the purpose of American Indian education as demonstrated by the policies adopted, the allocation of staff, fiscal, and material resources, and the integration of existing resources and services.

(3) The extent and degree of collaborative efforts among local community resources, organizations, schools, and tribal communities.

(4) The potential impact a center will have on pupils, their families, and other organizations in the region.

(5) The number of pupils in kindergarten and grades 1 to 12, inclusive, within the community of the applicant.

(6) Existing centers shall have priority based upon the demonstrated impact of each program on pupils, their parents or legal guardians, and the community served.

(7) Existing centers created by the department shall receive priority in funding.

(8) The application of an existing center shall receive priority for funding over an application for a new center.

(c) The funding level for each center shall be based upon a comprehensive community needs assessment, including the applicant's history of educational

support for American Indian pupils, their parents or legal guardians, and the amount of collaboration with local American Indians.

(d) Funding for each center shall be distributed by reference to pupil population, pupil academic performance, and the local economic base.

(e) To the extent possible, the centers shall be distributed in regions throughout the state in order to reflect the American Indian population base.

(f) The approval of an application for the establishment of a California American Indian education center shall be effective for a period of five calendar years. One calendar year before the expiration of the five-year period, the department shall commence an evaluation of the center in order to determine whether to renew the application of the existing center or approve a new application to establish a California American Indian education center.

(g) (1) If the application for a center has been approved by the department and the applicant has received written verification of that approval, the department shall distribute 75 percent of the grant award for each year of the grant no later than 45 days after enactment of the annual Budget Act or an additional authorizing statute, whichever is later.

(2) The department shall distribute the remaining 25 percent of the grant award for each year of the grant no later than April 1 of the year following the year in which the initial 75 percent is distributed pursuant to paragraph (1).