

AMENDED IN ASSEMBLY MAY 22, 2008
AMENDED IN ASSEMBLY MAY 5, 2008
AMENDED IN ASSEMBLY APRIL 24, 2008
AMENDED IN ASSEMBLY APRIL 10, 2008
AMENDED IN ASSEMBLY MARCH 6, 2008
AMENDED IN ASSEMBLY JULY 16, 2007
AMENDED IN ASSEMBLY JUNE 27, 2007
AMENDED IN SENATE JUNE 4, 2007
AMENDED IN SENATE MAY 15, 2007

SENATE BILL

No. 606

Introduced by Senator Perata

February 22, 2007

An act to amend Section 52055.57 of, and to add Section 52055.56 to, the Education Code, relating to school district accountability, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 606, as amended, Perata. School district accountability.

(1) Existing law establishes the Immediate Intervention/Underperforming Schools Program, which invites schools that score below the 50th percentile on certain achievement tests to participate in the program, and provides specified funding to those schools. Existing law requires the Superintendent of Public Instruction

to take specified actions with regard to a school that is state-monitored under this program if the school has not met certain growth targets.

The bill would require the Superintendent to prepare an annual report containing specified information relating to local educational agencies that are subject to corrective action. The bill would require the State Board of Education to place the recommendations made by the Superintendent in this report on its agenda and to vote on these recommendations in a public meeting within 60 days of its receipt of the report. The bill would establish a procedure for the nomination and appointment of trustees for local educational agencies discussed in this report. The bill would require the Superintendent to contract with an independent evaluator to prepare a comprehensive evaluation of local educational agencies in the 3rd year of federal Program Improvement, as specified.

(2) Existing law requires the State Department of Education to identify local educational agencies that are in danger of being identified within 2 years as program improvement local educational agencies under the federal No Child Left Behind Act of 2001, and to notify those local educational agencies, in writing, of this status and provide those local educational agencies with research-based criteria to conduct a voluntary self-assessment. Under existing law, a local educational agency that is identified for corrective action under the federal No Child Left Behind Act of 2001 is subject to one or more sanctions recommended by the Superintendent and approved by the state board, including a requirement to contract with a district assistance and intervention team to aid the local educational agency.

This bill would modify the actions required of, or sections applicable to, an identified local educational agency. The bill would require a district assistance and intervention team to complete a report and make recommendations for corrective actions to be adopted by the local educational agency and would provide for an appeal procedure regarding the recommendations.

The bill would delete the 2-year maximum for funding of a local educational agency under these intervention provisions, would require that a local educational agency identified for corrective action be recommended for monitoring, assistance, or sanction, and would make technical and conforming changes.

The bill would delete the requirement that an appointed receiver or trustee, under these provisions, act in the place of the county superintendent of schools or the governing board and ~~would~~, instead

would grant the trustee the authority to stay or rescind any action of the governing board or the superintendent of the local educational agency. The bill would specify requirements for trustees and the scope of their work, as specified.

(3) The bill would appropriate the sum of \$47,000,000 from the Federal Trust Fund to the State Department of Education for the purposes of the bill.

(4) Because this bill would require local agencies to perform additional duties, it would create a state-mandated local program.

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 these statutory provisions.

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

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: yes.

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

- 1 SECTION 1. Section 52055.56 is added to the Education Code,
- 2 to read:
- 3 52055.56. (a) Commencing on the operative date of the act
- 4 that adds this section, the Superintendent shall submit an annual
- 5 report in accordance with this article. The report required by this
- 6 section shall include all of the following:
- 7 (1) A list of all local educational agencies identified for program
- 8 improvement under the federal No Child Left Behind Act of 2001
- 9 (20 U.S.C. Sec. 6301 et seq.).
- 10 (2) A list of all local educational agencies that may face program
- 11 improvement in the subsequent year.
- 12 (3) An update on pupil achievement in local educational
- 13 agencies that were previously identified for program improvement
- 14 and remain in program improvement.
- 15 (4) Recommendations, pursuant to subdivision (d) of Section
- 16 52055.57, to the state board for each district identified in paragraph
- 17 (1).

1 (b) (1) The Superintendent may require entities authorized to
2 participate under Section 52055.57 to provide information to the
3 department for the purposes of this section. The annual reports
4 required by this section shall be submitted to the state board, the
5 Legislative Analyst's Office, the Legislature, the Department of
6 Finance, and impacted local educational agencies no later than
7 January 1 of the appropriate year.

8 (2) The state board shall place the recommendations included
9 in the report prepared under this section on its agenda and vote on
10 each of these recommendations at a public meeting within 60 days
11 of its receipt of the report.

12 (c) If the Superintendent recommends, and the state board
13 approves, the appointment of a trustee, the Superintendent shall
14 select the candidate or candidates for trustee and the state board
15 shall review and approve or disapprove the proposed appointment
16 of the candidate or candidates. Once the state board approves the
17 appointment of the trustee, he or she shall have 120 days to develop
18 a plan, as required under paragraph (3) of subdivision (d), and
19 present it to the Superintendent and the state board.

20 (d) Notwithstanding any other provision of law:

21 (1) No trustee shall be appointed under this section to a local
22 educational agency to which Section 41329.51 is applicable.

23 (2) Except as set forth in paragraph (1), this article is applicable
24 to a trustee of a local educational agency who has been appointed
25 to assist that agency pursuant to any provision of law, including,
26 but not necessarily limited to, this section.

27 (3) A local educational agency shall not be assigned a trustee
28 before all of the following occur:

29 (A) The district assistance and intervention team submits a
30 report to the Superintendent.

31 (B) The local educational agency receives funding for this
32 purpose.

33 (C) The Superintendent issues a recommendation to the state
34 board for approval of the appointment of a trustee.

35 (e) The Superintendent shall contract with an independent
36 evaluator to prepare a comprehensive evaluation of the
37 implementation, impact, costs, and effectiveness of local
38 educational agencies that received a corrective action by the state
39 board in 2008 over a two-year period. An annual report shall be
40 made to the Governor and the Legislature on or before February

1 1 of each year, followed by a final report that shall be made on or
2 before June 30th. The independent evaluator, along with an
3 advisory group appointed by the Superintendent, shall ensure that
4 the evaluation, at a minimum, includes an examination of the
5 following factors:

6 (1) Pupil performance data, including, but not limited to, results
7 of assessments used to determine whether or not local educational
8 agencies have made significant progress towards meeting their
9 growth targets.

10 (2) Program implementation data, including, but not limited to,
11 a review of startup activities, community support, parental
12 participation, staff development, activities associated with
13 implementation of the program, percentage of fully credentialed
14 teachers, percentage of teachers who hold emergency credentials,
15 percentage of teachers assigned outside their subject area of
16 competence, the accreditation status of the school, if appropriate,
17 average class size per grade level, and the number of pupils in a
18 multitrack, year-round educational system.

19 (3) Pupil performance data and its impact on the Academic
20 Performance Index (API), for each of the following subgroups:

21 (A) English language learners.

22 (B) Pupils with exceptional needs.

23 (C) Pupils who are eligible for funds under Title I of the federal
24 No Child Left Behind Act of 2001.

25 (f) The evaluation shall be provided to the Legislature, the
26 Department of Finance, and the Legislative Analyst on or before
27 July 1, 2010.

28 SEC. 2. Section 52055.57 of the Education Code is amended
29 to read:

30 52055.57. (a) (1) Provisions that are applicable to local
31 educational agencies under this section are for the purpose of
32 implementing federal requirements under the federal No Child
33 Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.). The
34 satisfaction of these criteria by local educational agencies that
35 choose to participate under this article shall be a condition of
36 receiving funds pursuant to this section.

37 (2) The department shall identify local educational agencies
38 that are in danger of being identified within two years as program
39 improvement local educational agencies under the federal No Child
40 Left Behind Act of 2001, and shall notify those local educational

1 agencies, in writing, of this status and provide those local
2 educational agencies with research-based criteria to conduct a
3 voluntary self-assessment.

4 (3) The self-assessment of the local educational agency shall
5 identify deficiencies within the operations of the local educational
6 agency, and the programs and services of the local educational
7 agency.

8 (4) A local educational agency identified pursuant to paragraph
9 (2) is encouraged to revise its local educational agency plan based
10 on the results of the self-assessment.

11 (5) The program described in this subdivision shall be referred
12 to as the “Early Warning Program.”

13 (b) (1) A local educational agency identified as a program
14 improvement local educational agency under the federal No Child
15 Left Behind Act of 2001 shall do all of the following:

16 (A) Conduct a self-assessment using materials and criteria based
17 on current research and provided by the department.

18 (B) No later than 90 days after a local educational agency is
19 identified for program improvement, contract with a county office
20 of education or another external entity after working with the
21 county superintendent of schools, for both of the following
22 purposes:

23 (i) Verifying the fundamental teaching and learning needs in
24 the schools of that local educational agency as determined by the
25 local educational agency self-analysis, and identifying the specific
26 academic problems of low-achieving pupils, including a
27 determination of why the prior plan of the local educational agency
28 failed to bring about increased pupil academic achievement.

29 (ii) Ensuring that the local educational agency receives intensive
30 support and expertise to implement local educational agency reform
31 initiatives in the revised local educational agency plan as required
32 by the federal No Child Left Behind Act of 2001.

33 (C) Revise and expeditiously implement the local educational
34 agency plan to reflect the findings of the verified self-assessment.

35 (D) After consulting with the county superintendent of schools,
36 contract with or arrange for assistance with an external provider
37 for support, and implement recommendations to assist the local
38 educational agency in resolving shortcomings identified in the
39 verified self-assessment.

1 (2) (A) Subject to the availability of funds for this purpose, a
2 local educational agency described in paragraph (1) annually may
3 receive fifty thousand dollars (\$50,000), plus ten thousand dollars
4 (\$10,000) for each school that is supported by federal funds
5 pursuant to Title I of the federal No Child Left Behind Act of 2001
6 within the local educational agency, for the purpose of fulfilling
7 the requirements of this subdivision.

8 (B) Subject to the availability of funds appropriated for this
9 purpose, a local educational agency identified as a program
10 improvement local educational agency shall receive priority for
11 funding based upon the performance of the socioeconomically
12 disadvantaged subgroup of the local educational agency on the
13 Academic Performance Index. Priority for funding shall be
14 provided to the lowest performing local educational agencies that
15 are identified as program improvement local educational agencies.

16 (c) It is the intent of the Legislature that the Superintendent shall
17 consider the unique circumstances of each local educational agency
18 before making a recommendation, as provided in subdivision (d).
19 The unique circumstances of a local educational agency may
20 include, but are not limited to, its pupil population and the pupil
21 subgroups that have failed to meet the requirements of the federal
22 No Child Left Behind Act of 2001. In addition, the Superintendent
23 may consider the following:

24 (1) A local educational agency that, in the judgment of the
25 Superintendent, has conducted a satisfactory self-assessment,
26 prepared a plan, and is making satisfactory progress towards
27 improving its instructional program, shall be recommended for
28 state monitoring without further intervention.

29 (2) A local educational agency that, in the judgment of the
30 Superintendent, has conducted a self-assessment and needs
31 assistance to implement the plan, or revise and implement the plan,
32 may be recommended for intensive local assistance in consultation
33 with the county superintendent of schools with jurisdiction over
34 the local educational agency. A local educational agency that is
35 identified for intensive local assistance may be subject to
36 intervention strategies upon the recommendation of the county
37 superintendent.

38 (3) A local educational agency that, in the judgment of the
39 Superintendent, has failed to conduct a satisfactory self-assessment,
40 or prepare a plan, or that is unlikely to make satisfactory progress

1 to correct the conditions that caused the local educational agency
2 to be identified for corrective action, may be recommended for
3 state intervention.

4 (d) (1) A local educational agency that has been identified for
5 corrective action under the federal No Child Left Behind Act of
6 2001 shall be subject to no more than one of the following
7 sanctions in a three-year period as recommended by the
8 Superintendent and approved by the state board:

9 (A) Replacing local educational agency personnel who are
10 relevant to the failure to make adequate yearly progress.

11 (B) Removing schools from the jurisdiction of the local
12 educational agency and establishing alternative arrangements for
13 the governance and supervision of those schools.

14 (C) Appointing, by the state board, a trustee, with authority to
15 stay or rescind any action of the governing board or the
16 superintendent of the local educational agency.

17 (D) Abolishing or restructuring the local educational agency.

18 (E) Authorizing pupils to transfer from a school operated by
19 the local educational agency to a higher performing school operated
20 by another local educational agency, and providing those pupils
21 with transportation to those schools, in conjunction with carrying
22 out not less than one additional action described under this
23 paragraph.

24 (F) Instituting and fully implementing a new instructional
25 program consistent with state academic content and achievement
26 standards, including providing appropriate professional
27 development based on scientifically based research for all relevant
28 staff, that offers substantial promise of improving educational
29 achievement for all pupils.

30 (G) Deferring programmatic funds or reducing administrative
31 funds.

32 (2) (A) In addition to the sanctions described in paragraph (1),
33 the Superintendent may recommend, and the state board may
34 approve, the requirement that a local educational agency contract
35 with a district assistance and intervention team or other entity to
36 provide it technical assistance.

37 (B) Not later than 90 days after the assignment of a district
38 assistance and intervention team, the team shall complete an initial
39 report. The report shall include recommendations for corrective
40 actions chosen from a range of interventions, including the

1 reallocation of the fiscal resources of the local educational agency
2 to ensure that appropriate resources are targeted to those specific
3 interventions identified in the recommendations of the team for
4 the local educational agency and the targeted schools and other
5 changes deemed appropriate to make progress toward meeting
6 annual measurable, objective targets, and other criteria for adequate
7 yearly progress, and other activities to implement the state board
8 sanction.

9 (C) Not later than 120 days after assignment of the district
10 assistance and intervention team, the governing board of the local
11 educational agency shall adopt the report recommendations
12 described in subparagraph (B) at a regularly scheduled meeting of
13 the governing board. Any subsequent recommendations proposed
14 by the district assistance and intervention team shall be submitted
15 to the governing board and shall be adopted by the governing board
16 within 30 days of the submission. The governing board shall not
17 place the adoption on the consent calendar. The report
18 recommendations and subsequent recommendations adopted by
19 the governing board pursuant to this subparagraph shall be
20 submitted to the Superintendent and the state board.

21 (D) Following the adoption of the report recommendations and
22 any subsequent recommendations by the governing board of the
23 local educational agency pursuant to subparagraph (C), the
24 governing board may submit an appeal to the Superintendent for
25 relief from one or more of the recommendations not later than 150
26 days after assignment of the district assistance and intervention
27 team. The Superintendent, with approval of the state board, may
28 grant relief from compliance with a recommendation of the district
29 assistance and intervention team. If a district assistance and
30 intervention team does not fulfill its legal obligations pursuant to
31 this section, the governing board of the school district may seek
32 permission from the Superintendent, with the approval of the state
33 board, to contract with a different district assistance and
34 intervention team, or another entity, to provide technical assistance.
35 Upon an evidence-based finding that the district assistance and
36 intervention team has not fulfilled its legal obligations pursuant
37 to this section, the Superintendent, with the approval of the state
38 board, may remove the district assistance and intervention team
39 from the state list of eligible providers.

1 (E) If the local educational agency assigned to contract with a
2 district assistance and intervention team fails to implement the
3 corrective action required by the state board pursuant to this
4 subdivision or the recommendation of the district assistance and
5 intervention team, the team may recommend that the
6 Superintendent review the progress of the local educational agency
7 identified in this subdivision and the Superintendent may
8 recommend to the state board that it take further action.

9 (3) Subject to the availability of funds in the annual Budget Act
10 for this purpose, if the state board requires a local educational
11 agency to contract with a district assistance and intervention team
12 pursuant to paragraph (2), the local educational agency annually
13 may receive fifty thousand dollars (\$50,000), plus ten thousand
14 dollars (\$10,000) for each school that is supported by federal funds
15 pursuant to Title I of the federal No Child Left Behind Act of 2001
16 within the local educational agency, for no more than two years,
17 for the purpose of contracting with and implementing the
18 recommendations of the district assistance and intervention team.

19 (4) Not later than January 31, 2006, the Superintendent shall
20 develop and the state board shall approve, standards and criteria
21 to be applied by a district assistance and intervention team in
22 carrying out its duties. The standards and criteria shall include all
23 of the following areas:

24 (A) Governance.

25 (B) Alignment of curriculum, instruction, and assessments to
26 state standards.

27 (C) Fiscal operations.

28 (D) Parent and community involvement.

29 (E) Human resources.

30 (F) Data systems and achievement monitoring.

31 (G) Professional development.

32 (e) If the Superintendent recommends, and the state board
33 approves, the appointment of a trustee pursuant to subparagraph
34 (C) of paragraph (1) of subdivision (d), the following conditions
35 shall apply:

36 (1) Before appointing a trustee, the Superintendent shall
37 recommend to the state board the assignment of a specific district
38 assistance and intervention team to assess the capacity of the local
39 educational agency relative to governance, academic issues, and
40 fiscal and human resources. The district assistance and intervention

1 team shall submit a report to the Superintendent for approval by
2 the state board regarding the needs of the local educational agency
3 to have a trustee appointed.

4 (2) The Superintendent shall select the candidate or candidates
5 for trustee and the state board shall review and approve or
6 disapprove the proposed appointment of the candidate or
7 candidates. If a trustee is appointed to act on behalf of the
8 Superintendent, the trustee shall act in accordance with all of the
9 following:

10 (A) The trustee shall serve under the direction and supervision
11 of the Superintendent until terminated by the Superintendent at
12 his or her discretion. The Superintendent shall consult with the
13 county superintendent of schools before terminating the trustee.

14 (B) The trustee shall have recognized expertise in governance,
15 parent and community involvement, personnel, management,
16 finance, curriculum and instruction, and standards to improve
17 student achievement.

18 (3) The authority of the trustee to stay or rescind an action of
19 the county superintendent or governing board of the local
20 educational agency is limited to areas contained in the
21 self-assessment made pursuant to subdivision (d).

22 (4) To facilitate the appointment of the trustee and the
23 employment of any necessary staff, for the purposes of this section,
24 the Superintendent is exempt from the requirements of Article 6
25 (commencing with Section 999) of Chapter 6 of Division 4 of the
26 Military and Veterans Code and Part 2 (commencing with Section
27 10100) of the Public Contract Code.

28 (5) Notwithstanding any other law, the Superintendent may
29 appoint a qualified individual to act as the trustee for up to the
30 duration of the trusteeship. During the tenure of his or her
31 appointment, the trustee, if he or she is an employee of the state
32 or of the office of the county superintendent of schools, is an
33 employee of the school district, but shall remain in the same
34 retirement system, under the same plan, that has been provided by
35 his or her employment with the state or the office of the county
36 superintendent of schools. Upon the expiration or termination of
37 the appointment, the employee shall have the right to return to his
38 or her former position, or to a position at substantially the same
39 level as that position, with the state or with the office of the county
40 superintendent of schools. The time served in the appointment

1 shall be counted for all purposes as if the administrator had served
2 that time in his or her former position with the state or with the
3 office of the county superintendent of schools.

4 (6) An individual who is appointed as a trustee by the
5 Superintendent shall be a member of the State Teachers'
6 Retirement System, if qualified, for the period of service as a
7 trustee, unless he or she elects, in writing, not to become a member.

8 A person who is a member or a retired member of the State
9 Teachers' Retirement System at the time of appointment shall
10 continue to be a member or a retired member of the system for the
11 duration of the appointment. If the trustee chooses to become a
12 member, or is already a member, the trustee shall be placed on the
13 payroll of the school district for the purpose of providing
14 appropriate contributions to the system. The Superintendent also
15 may require the trustee to be placed on the payroll of the school
16 district for purposes of remuneration, other benefits, and payroll
17 deductions.

18 (7) For the purposes of workers' compensation benefits, the
19 trustee is an employee of the qualifying district, except that a
20 trustee may be deemed an employee of the state or office of the
21 county superintendent of schools, as applicable.

22 (8) The qualifying district shall add the trustee as a covered
23 employee of the school district for purposes of errors and omissions
24 liability insurance policies.

25 (9) The salary and benefits of the trustee shall be established
26 by the Superintendent and paid by the qualifying school district.

27 (10) The Superintendent or the trustee, on a short-term basis,
28 may employ, at district expense, any staff necessary to assist the
29 trustee.

30 (11) The Superintendent shall develop a scope of work for the
31 trustee based upon the recommendation made by the district
32 assistance and intervention team. The trustee may do all of the
33 following:

34 (A) Implement substantial changes in the curricular policies
35 and practices of the district.

36 (B) Revise the educational program of the district.

37 (C) Consult, for the purposes described in this subdivision, with
38 the governing board of the school district, the exclusive
39 representative of the employees of the district, parents, the
40 community, and pupils.

1 (D) Consult with, and seek recommendations from, the
2 Superintendent and the county superintendent of schools.

3 (12) (A) Not later than 90 days after the selection of a trustee,
4 the trustee shall complete a report to the Superintendent on the
5 implementation of recommendations made by the district assistance
6 and intervention team deemed appropriate to make progress toward
7 meeting annual measurable objective targets and other criteria for
8 adequate yearly progress, other activities to implement the state
9 board sanction, and criteria for the departure of the trustee.

10 (B) Not later than 120 days after the selection of the trustee, the
11 governing board of the local educational agency shall adopt the
12 report recommendations described in subparagraph (A) at a
13 regularly scheduled meeting of the governing board. Any
14 subsequent recommendations proposed by the trustee shall be
15 submitted to the governing board and shall be adopted by the
16 governing board within 30 days of the submission. The governing
17 board shall not place the adoption on the consent calendar. The
18 report recommendations and any subsequent recommendations
19 adopted by the governing board pursuant to this subparagraph shall
20 be submitted to the Superintendent and the state board.

21 (C) Following the adoption of the report recommendations and
22 any subsequent recommendations by the governing board of the
23 local educational agency pursuant to subparagraph (B) the
24 governing board may submit an appeal to the Superintendent for
25 relief from one or more of the recommendations. The
26 Superintendent, with approval of the board, may grant relief from
27 compliance with a recommendation of the trustee.

28 (D) The trustee shall receive reports from the local educational
29 agency no less than three times during the year on the progress
30 towards meeting the goals established in the report pursuant to
31 subparagraph (A).

32 ~~(13) An administrator or trustee appointed by the~~
33 ~~Superintendent, with the approval of the state board, prior to the~~
34 ~~date upon which this section goes into effect and becomes operative~~
35 ~~is prohibited from exercising any authority in that capacity and~~
36 ~~his or her services will be terminated within 10 days of the date~~
37 ~~upon which this section goes into effect and becomes operative.~~

38 (f) A local educational agency to which a corrective action has
39 been applied pursuant to subdivision (d) and that has not exited
40 program improvement under the federal No Child Left Behind Act

1 of 2001 may be required by the Superintendent to appear before
2 the state board at any time within three years to review the progress
3 of the local educational agency. Upon hearing testimony and
4 reviewing written data from the local educational agency, the
5 community, parents, and pupils, and the district assistance and
6 intervention team or county superintendent of schools, the
7 Superintendent shall recommend, and the state board may approve,
8 additional technical assistance.

9 (g) Based upon the progress of the local educational agency on
10 interim measures of academic and organizational improvement
11 defined in subdivision (e) of Section 52055.563, the contract for
12 a district assistance and intervention team or a trustee assigned to
13 work with a local educational agency may be terminated after no
14 fewer than two Academic Performance Index (API) reporting
15 cycles.

16 (h) For purposes of this article, “local educational agency”
17 means a school district, county office of education, or charter
18 school that elects to receive its funding directly pursuant to Section
19 47651, and that provides public educational services to pupils in
20 kindergarten or any of grades 1 to 12, inclusive.

21 (i) This article does not alter, abrogate, otherwise affect the
22 rights, remedies, and procedures afforded school district employees
23 under any other state or federal law, or under the terms of a
24 collective bargaining agreement, memoranda of understanding, or
25 other agreement between a school district employee and his or her
26 employer.

27 (j) A local educational agency shall not receive funds pursuant
28 to subdivision (b) or (d) if it *is* initially identified for program
29 improvement or prevention after July 1, 2009.

30 SEC. 3. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.

35 SEC. 4. Notwithstanding Section 16361 of the Government
36 Code, forty-seven million dollars (\$47,000,000) is hereby
37 appropriated from the Federal Trust Fund to the State Department
38 of Education for local educational agencies identified for corrective
39 action in the 2007–08 fiscal year, pursuant to the federal No Child

1 Left Behind Act of 2001. The funds shall be distributed on a
2 one-time basis as follows:

3 (a) Two hundred twenty-five thousand (\$225,000) shall be
4 allocated to each local educational agency that is required by the
5 State Board of Education to contract with a district assistance and
6 intervention team pursuant to paragraph (2) of subdivision ~~(e)~~ of
7 ~~Section 56055.57~~ (d) of Section 52055.57 of the Education Code.

8 (b) Seventy-five thousand dollars (\$75,000) shall be allocated
9 to each local educational agency that is required by the State Board
10 of Education to receive targeted technical assistance pursuant to
11 subparagraph (F) of paragraph (1) of subdivision ~~(e)~~ (d) of Section
12 ~~56055.57~~ 52055.57 of the Education Code.

13 (c) Eight hundred thousand dollars (\$800,000) for the evaluation
14 conducted pursuant to paragraph (3) of subdivision ~~(b)~~ of Section
15 ~~52055.562~~ (e) of Section 52055.56 of the Education Code.

16 (d) One million two hundred thousand dollars (\$1,200,000) to
17 fund eight positions, and related expenses, necessary to administer
18 this act.

19 (e) The remaining funds shall be allocated to local educational
20 agencies, as specified in subdivisions (a) and (b), on the basis of
21 an equal amount per pupil who is eligible for funds under Title I
22 of the federal No Child Left Behind Act of 2001 (20 U.S.C. ~~Dee.~~
23 *Sec.* 6301 et seq.) for the purposes of improving pupil achievement.
24 Local educational agencies that are required by the State Board of
25 Education to contract with a district assistance and intervention
26 team pursuant to paragraph (2) of subdivision ~~(e)~~ of Section
27 ~~56055.57~~ (d) of Section 52055.57 of the Education Code shall, at
28 a minimum, receive thirty thousand dollars (\$30,000) for this
29 purpose.

30 SEC. 5. If the United States Congress does not reauthorize the
31 federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301
32 et seq.), a local educational agency that is not currently subject to
33 this act shall not become subject to its provisions.

34 SEC. 6. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or safety within
36 the meaning of Article IV of the Constitution and shall go into
37 immediate effect. The facts constituting the necessity are:

38 In order to provide assistance to local educational agencies at
39 risk of academic failure and to ensure the continuation of

- 1 instructional services to pupils enrolled in those districts, it is
- 2 necessary that this act take effect immediately.

O