

AMENDED IN SENATE DECEMBER 18, 2008

CALIFORNIA LEGISLATURE—2009—10 FIRST EXTRAORDINARY SESSION

ASSEMBLY BILL

No. 4

Introduced by Assembly Member Evans

December 8, 2008

~~An act relating to the Budget Act of 2008.~~ *An act to amend Sections 2558.46, 17592.71, 42238.146, 47634.1, and 49452.8 of, to amend, repeal, and add Section 17584.1 of, to add Sections 17070.766, 17592.74, 41207.3, 41509, 52055.60, and 52055.651 to, and to add and repeal Sections 1240.3 and 60422.1 of, the Education Code, to amend Section 36 of, and to repeal Section 33 of, Chapter 757 of, the Statutes of 2008, to amend Items 6110-105-0001, 6110-196-0001, 6110-196-0890, 6110-244-0001, 6110-485, 6110-488, 6360-101-0001, 6870-101-0001, and 6870-295-0001 of, and to add Item 6870-485 to, Section 2.00 of, and to amend Section 12.40 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), relating to education finance, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 4, as amended, Evans. Budget Act of 2008.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2008.~~

(1) Existing law requires the county superintendent of schools of each county, among other specified duties, to make annual visits to each school in his or her county at reasonable intervals to observe its operation and to learn of its problems. Existing law requires that the priority objective of those visits be the determination of whether each school has sufficient textbooks, as defined.

This bill would revise the definition of sufficient textbooks for the 2008–09 and 2009–10 fiscal years and, during those fiscal years, would require a county superintendent of schools to use that revised definition to determine whether a school has sufficient textbooks. The bill would make these provisions inoperative on July 1, 2010, and repeal them on January 1, 2011.

(2) Existing law requires a revenue limit to be calculated for each county superintendent of schools, adjusted for various factors, and reduced, as specified. Existing law reduces the revenue limit for each county superintendent of schools for the 2008–09 fiscal year by a deficit factor of 4.396%.

This bill would instead reduce the revenue limit for each county superintendent of schools for the 2008–09 fiscal year by a deficit factor of 5.050%

(3) The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to require school districts applying for funds under that act to deposit, into a specified account for ongoing and major maintenance of school buildings, an amount equal to or greater than 3% of the total general fund expenditures of the applicant school district.

This bill, for the 2008–09 fiscal year, would reduce that deposit requirement to an amount equal to or greater than 1% of the total general fund expenditures of the applicant school district.

(4) Existing law requires a governing board of a school district to discuss proposals and plans for expenditure of funds for the deferred maintenance of school district facilities at a regularly scheduled public hearing. Existing law requires the governing board to make a report on the district's spending priorities for the current fiscal year to the Legislature, with copies to the Superintendent of Public Instruction, the State Board of Education, the Department of Finance, and the State Allocation Board, by March 1 of any year that the school district does not set aside prescribed funds for the deferred maintenance of its facilities.

This bill would render this report requirement inoperative for the 2008–09 fiscal year.

(5) Existing law directs that an amount of moneys be transferred in the annual Budget Act from the Proposition 98 Reversion Account to the School Facilities Emergency Repair Account. The amount to be transferred is required to equal 50% of the unappropriated balance of the Proposition 98 Reversion Account or \$100,000,000, whichever

amount is greater. The moneys transferred be used for the purpose of addressing emergency facilities needs.

This bill, for the 2008–09 and 2009–10 fiscal years, would reduce the amount required to be transferred pursuant to the requirement above to zero, and would transfer the appropriation made in the Budget Act of 2008 for purposes of funding the School Facilities Emergency Repair Account to the State Department of Education, on a one-time basis, to backfill regional occupational centers and programs.

The bill would prohibit funds provided to school districts from the School Facilities Emergency Repair Account for the purpose of emergency repair grants from being used either to supplant funds provided to local educational agencies for the deferred maintenance of school facilities pursuant to specified statutes or for deposit into a school district deferred maintenance fund for expenditure for specified purposes.

(6) Existing provisions of the California Constitution require the state to apply a minimum amount of funding for each fiscal year for the support of school districts and community college districts. Existing law requires the Superintendent of Public Instruction and the Director of Finance, by January 1, 2006, to jointly determine the outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to the California Constitution for the 1995–96 to 2003–04 fiscal years, inclusive. Existing law, commencing with the 2006–07 fiscal year, annually appropriates the sum of \$150,000,000 from the General Fund to the Controller for allocation to school districts and community college districts for the purpose of discharging in full the outstanding balance of the minimum funding obligation to school districts and community college districts pursuant to the California Constitution. Existing law cancels that annual appropriation for the 2008–09 fiscal year.

This bill, in addition, would cancel that annual appropriation for the 2009–10, 2010–11, 2011–12, and 2012–13 fiscal years. If the Superintendent and the Director of Finance jointly determine that, for the 2008–09 fiscal year, the state has applied moneys for the support of school districts and community college districts in an amount that exceeds the minimum amount required for that fiscal year pursuant to the California Constitution, the bill would deem \$1,100,590,000, as of June 30 of that fiscal year, as a payment in satisfaction of the outstanding balance, as defined, of the minimum funding obligation

under that section for the 2002–03 and 2003–04 fiscal years, as specified.

(7) Existing law establishes a pupil retention block grant and, commencing with the 2005–06 fiscal year, requires the Superintendent to apportion funds to a school district in the same relative statewide proportion that the school district received in the 2003–04 fiscal year for those programs, adjusted for various factors, including changes in program participation, inflation, and for growth in average daily attendance, as specified.

This bill, for the 2008–09 fiscal year, would require the Superintendent to apportion pupil retention block grant funds only to school districts operating continuation high schools. The bill would require that the share of funding for those fiscal years received by a school district equal its statewide share of total continuation high school funding received in the 2003–04 fiscal year, as specified.

(8) Existing law requires the county superintendent of schools to determine a revenue limit for each school district in the county, and requires the amount of the revenue limit to be adjusted for various factors. Existing law reduces the revenue limit for each school district for the 2008–09 fiscal year by a deficit factor of 4.713%.

This bill would instead reduce the revenue limit for each school district for the 2008–09 fiscal year by a deficit factor of 5.357%.

(9) Existing law, for the 2007–08 fiscal year, requires the categorical block grant allocated by the Superintendent for charter schools to be \$500 per unit of charter school average daily attendance, as determined at the second principal apportionment for the 2007–08 fiscal year. The per unit amount is required to be adjusted for each fiscal year thereafter for a cost-of-living adjustment, as determined pursuant to statute.

This bill, for the 2008–09 fiscal year, would reduce the categorical block grant for charter schools to \$400 per unit of charter school average daily attendance, as determined at the second principal apportionment for the 2008–09 fiscal year.

(10) Existing law requires a pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, to present, no later than May 31 of the school year, proof of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional operating within his or her scope of practice, that was performed no earlier than 12 months prior to the date of the initial enrollment of the pupil.

This bill would make that provision inoperative for the 2008–09 and 2009–10 fiscal years.

(11) The federal No Child Left Behind Act of 2001 requires a local educational agency to identify an elementary or secondary school that fails, for 2 consecutive years, to make adequate yearly progress, as defined by the state, for program improvement. The act requires a school that continues to fail to make adequate yearly progress after being identified for program improvement to take additional corrective action or meet specified restructuring requirements.

The Public Schools Accountability Act of 1999 requires the State Department of Education to identify local educational agencies that are in danger of being identified for program improvement pursuant to the No Child Left Behind Act, and to notify those local educational agencies, in writing, of that status. The department also is required to provide those agencies with research-based criteria to conduct that voluntary self-assessment.

This bill, for the 2008–09 and 2009–10 fiscal years, would exempt a school, school district, county office of education, or charter school that has been identified for program improvement under the federal No Child Left Behind Act of 2001 from required participation in the Mathematics and Reading Professional Development Program or the Administrator Training Program.

(12) The Public Schools Accountability Act of 1999 establishes the High Priority Schools Grant Program, under which funds are made available to eligible low-performing schools for implementation of a school action plan that includes specified components. Under the act, a school that achieves positive growth in each year of the last 3 years of program implementation and achieves growth targets in 2 of those years exits the program. The act requires a school participating in the High Priority Schools Grant Program that does not meet its growth targets 36 months after funding, but shows significant growth, to continue to be monitored by the Superintendent. The act requires a school participating in the High Priority Schools Grant Program that does not meet its growth targets 36 months after funding, and fails to show significant growth to be deemed a state-monitored school. As a consequence, either the school is required to enter into a contract with a school assistance and intervention team or the Superintendent is required to assume all the legal rights, duties, and powers of the governing board of the school district with respect to the school.

This bill, for the 2008–09 fiscal year, would provide that a school participating in the High Priority Schools Grant Program is not subject to review by the state board, state monitoring, and sanctions. The bill, for the 2008–09 and 2009–10 fiscal years, would exempt a state-monitored school from required participation in the Mathematics and Reading Professional Development Program or the Administrator Training Program.

(13) Existing law establishes the Instructional Materials Funding Realignment Program that requires the State Department of Education to apportion funds to school districts and requires the governing board of a school district to use that funding to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials by the beginning of the first school term that commences no later than 24 months after those materials were adopted by the State Board of Education, except as specified.

This bill, until July 1, 2010, would exempt school districts from that requirement.

(14) Existing law appropriates \$39,780,000 from the General Fund to the Board of Governors of the California Community Colleges, in the Budget Act of 2008, for the purpose of providing a 0.68% cost-of-living adjustment to apportionments to community college districts, for expenditure during the 2008–09 fiscal year.

This bill would repeal that provision.

(15) Each annual Budget Act makes various appropriations for purposes of public education.

This bill would reappropriate for the current fiscal year prescribed amounts or the unexpended balance of specified appropriations made in specified prior Budget Acts to the State Department of Education for allocation to regional occupational centers and programs and would reduce the appropriation made by the Budget Act of 2008 for purposes of regional occupational centers and programs by an amount equal to the reappropriation described above. The bill also would reappropriate \$1,408,536 from the Proposition 98 Reversion Account to the Board of Governors of the California Community Colleges, on a one-time basis, to backfill the Puente Project.

(16) The Budget Act of 2008 makes various appropriations for purposes of public education.

This bill would reduce or eliminate specified appropriations made in that Budget Act.

(17) *The Budget Act of 2008 makes various appropriations for purposes of child care and development programs.*

This bill would reduce specified appropriations made in that Budget Act for those purposes.

(18) *The Budget Act of 2008 authorizes a local educational agency to expend not more than 10% of the amount apportioned under specified programs funded in the Budget Act of 2008 that were funded in a specified item of the Budget Act of 1999 that is commonly known as the Mega-Item for the purposes of other specified programs for which the recipient is eligible for funding. Among the programs from which 10% could be expended is the Home-to-School Transportation Program.*

This bill would remove the Home-to-School Transportation Program from those programs from which the local educational agency could transfer 10% of funding, and would add that program to those programs into which funds could be transferred.

(19) *Existing law requires the Superintendent of Public Instruction, the Controller, and the Director of Finance to develop standards and criteria to be reviewed by the State Board of Education and to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from those budgets.*

This bill, for the 2008–09 fiscal year only, would authorize the governing board of a school district or county office of education to use up to 100% of the balances, as of June 30, 2008, of restricted accounts in its general fund or cafeteria fund, excluding restricted reserves committed for capital outlay, bond funds, sinking funds, federal funds, funds from the Public Transportation Account, and balances in designated programs. The bill would require a governing board that elects to use balances in restricted accounts to report to the Superintendent of Public Instruction, in a manner determined by the Superintendent, regarding the programs and amounts of restricted balances used for specified purposes. The bill would require the Superintendent of Public Instruction to report statewide information and information for each school district and county office of education to the Joint Legislative Budget Committee by October 31, 2009.

(20) *This bill would require the Superintendent of Public Instruction to reduce the principal apportionment for school districts and county offices of education for the 2008-09 fiscal year, as necessary, if, during that fiscal year, the Controller has disbursed funds from the appropriations reduced by the bill in amounts greater than the amounts remaining in those appropriations following the reductions and the*

Superintendent determines there is no other way to recover the funds that have been disbursed during the 2008-09 fiscal year.

(21) This bill would provide that its provisions will become operative only if either AB 2 or SB 2 and either AB 9 or SB 9 of the 2009–10 1st Extraordinary Session of the Legislature are enacted and become effective on or before January 1, 2009.

~~The~~

(22) The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 1, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on December 1, 2008, pursuant to the California Constitution.

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

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

- 1 *SECTION 1. Section 1240.3 is added to the Education Code,*
- 2 *to read:*
- 3 *1240.3. (a) For the purposes of Section 1240, for the 2008–09*
- 4 *and 2009–10 fiscal years, sufficient textbooks or instructional*
- 5 *materials include standards-aligned textbooks or instructional*
- 6 *materials, or both, that were adopted by the state board and local*
- 7 *governing boards pursuant to statute prior to July 1, 2008. It is*
- 8 *the intent of the Legislature that each local education agency*
- 9 *provide every pupil with the same standards-aligned textbook or*
- 10 *instructional material as adopted.*
- 11 *(b) Notwithstanding Section 1240 or any other law, for the*
- 12 *2008–09 and 2009–10 fiscal years, a county superintendent of*
- 13 *schools, in making visits to schools as specified in Section 1240,*
- 14 *shall determine the status of sufficient textbooks as defined in*
- 15 *subdivision (a).*
- 16 *(c) This section shall become inoperative on July 1, 2010, and,*
- 17 *as of January 1, 2011, is repealed, unless a later enacted statute*
- 18 *that is enacted before January 1, 2011, deletes or extends the dates*
- 19 *on which it becomes inoperative and is repealed.*

1 SEC. 2. Section 2558.46 of the Education Code is amended to
2 read:

3 2558.46. (a) (1) For the 2003–04 fiscal year, the revenue limit
4 for each county superintendent of schools determined pursuant to
5 this article shall be reduced by a 1.195 percent deficit factor.

6 (2) For the 2004–05 fiscal year, the revenue limit for each county
7 superintendent of schools determined pursuant to this article shall
8 be reduced by a 0.323 percent deficit factor.

9 (3) For the 2003–04 and 2004–05 fiscal years, the revenue limit
10 for each county superintendent of schools determined pursuant to
11 this article shall be reduced further by a 1.826 percent deficit factor.

12 (4) For the 2005–06 fiscal year, the revenue limit for each county
13 superintendent of schools determined pursuant to this article shall
14 be reduced further by a 0.898 percent deficit factor.

15 (5) For the 2008–09 fiscal year, the revenue limit for each county
16 superintendent of schools determined pursuant to this article shall
17 be reduced by a ~~4.396~~ 5.050 percent deficit factor.

18 (b) In computing the revenue limit for each county
19 superintendent of schools for the 2006–07 fiscal year pursuant to
20 this article, the revenue limit shall be determined as if the revenue
21 limit for that county superintendent of schools had been determined
22 for the 2003–04, 2004–05, and 2005–06 fiscal years without being
23 reduced by the deficit factors specified in ~~this section~~ subdivision
24 (a).

25 (c) In computing the revenue limit for each county
26 superintendent of schools for the 2009–10 fiscal year pursuant to
27 this article, the revenue limit shall be determined as if the revenue
28 limit for that county superintendent of schools had been determined
29 for the 2008–09 fiscal year without being reduced by the deficit
30 factors specified in ~~this section~~ subdivision (a).

31 SEC. 3. Section 17070.766 is added to the Education Code, to
32 read:

33 17070.766. Notwithstanding paragraph (2) of subdivision (b)
34 of Section 17070.75, for the 2008–09 fiscal year, the board shall
35 only require a school district to deposit into the account established
36 pursuant to paragraph (1) of subdivision (b) of Section 17070.75
37 an amount equal to or greater than 1 percent of the total
38 expenditures by a district from its general fund in the 2008–09
39 fiscal year.

1 *SEC. 4. Section 17584.1 of the Education Code is amended to*
2 *read:*

3 17584.1. (a) The governing board of a school district shall
4 discuss proposals and plans for expenditure of funds for the
5 deferred maintenance of school district facilities at a regularly
6 scheduled public hearing.

7 ~~(b) In any year that the school district does not set aside $\frac{1}{2}$ of~~
8 ~~one percent of its current-year revenue limit average daily~~
9 ~~attendance for deferred maintenance, the governing board of a~~
10 ~~school district shall submit a report to the Legislature by March~~
11 ~~1, with copies to the Superintendent of Public Instruction, the State~~
12 ~~Board of Education, the Department of Finance, and the State~~
13 ~~Allocation Board.~~

14 ~~(c) The report required pursuant to subdivision (b) shall include~~
15 ~~all of the following:~~

16 ~~(1) A schedule of the complete school facilities deferred~~
17 ~~maintenance needs of the school district for the current year,~~
18 ~~including a schedule of costs per schoolsite and total costs.~~

19 ~~(2) A detailed description of the school district's spending~~
20 ~~priorities for the current year, and an explanation of why those~~
21 ~~priorities, or any other considerations, have prevented the school~~
22 ~~district from setting aside sufficient local funds so as to permit it~~
23 ~~to fully fund its deferred maintenance program and, if eligible, to~~
24 ~~participate in the state deferred maintenance funding program as~~
25 ~~set forth in Section 17584.~~

26 ~~(3) An explanation of how the governing board of a school~~
27 ~~district plans to meet its current-year facilities deferred maintenance~~
28 ~~needs without setting aside the funds set forth in Section 17584.~~

29 ~~(d) Copies of the report shall be made available at each~~
30 ~~schoolsite within the school district and shall be provided to the~~
31 ~~public upon request.~~

32 ~~(e)~~

33 ~~(b) The purposes of this section is are to inform the public~~
34 ~~regarding the local decisionmaking process relating to the deferred~~
35 ~~maintenance of school facilities; and to provide a foundation for~~
36 ~~local accountability in that regard.~~

37 ~~(c) This section shall become inoperative on July 1, 2009, and,~~
38 ~~as of January 1, 2010, is repealed, unless a later enacted statute,~~
39 ~~that becomes operative on or before January 1, 2010, deletes or~~
40 ~~extends the dates on which it becomes inoperative and is repealed.~~

1 SEC. 5. Section 17584.1 is added to the Education Code, to
2 read:

3 17584.1. (a) The governing board of a school district shall
4 discuss proposals and plans for expenditure of funds for the
5 deferred maintenance of school district facilities at a regularly
6 scheduled public hearing.

7 (b) In any fiscal year that the school district does not set aside
8 0.5 percent of its current-year revenue limit average daily
9 attendance for deferred maintenance, the governing board of a
10 school district shall submit a report to the Legislature by March
11 1 of that year, with copies to the Superintendent, the state board,
12 the Department of Finance, and the State Allocation Board.

13 (c) The report required pursuant to subdivision (b) shall include
14 all of the following:

15 (1) A schedule of the complete school facilities deferred
16 maintenance needs of the school district for the current fiscal year,
17 including a schedule of costs per schoolsite and total costs.

18 (2) A detailed description of the school district's spending
19 priorities for the current fiscal year, and an explanation of why
20 those priorities, or any other considerations, have prevented the
21 school district from setting aside sufficient local funds so as to
22 permit it to fully fund its deferred maintenance program and, if
23 eligible, to participate in the state deferred maintenance funding
24 program as set forth in Section 17584.

25 (3) An explanation of how the governing board of a school
26 district plans to meet its current-year facilities deferred
27 maintenance needs without setting aside the funds set forth in
28 Section 17584.

29 (d) Copies of the report shall be made available at each
30 schoolsite within the school district and shall be provided to the
31 public upon request.

32 (e) The purposes of this section are to inform the public
33 regarding the local decisionmaking process relating to the deferred
34 maintenance of school facilities and to provide a foundation for
35 local accountability in that regard.

36 (f) This section shall become operative on July 1, 2009.

37 SEC. 6. Section 17592.71 of the Education Code is amended
38 to read:

1 17592.71. (a) There is hereby established in the State Treasury
2 the School Facilities Emergency Repair Account. The State
3 Allocation Board shall administer the account.

4 (b) (1) Commencing with the 2005–06 fiscal year, an amount
5 of moneys shall be transferred in the annual Budget Act from the
6 Proposition 98 Reversion Account to the School Facilities
7 Emergency Repair Account, equaling 50 percent of the
8 unappropriated balance of the Proposition 98 Reversion Account
9 or one hundred million dollars (\$100,000,000), whichever amount
10 is greater. Moneys transferred pursuant to this subdivision shall
11 be used for the purpose of addressing emergency facilities needs
12 pursuant to Section 17592.72.

13 (2) *Notwithstanding paragraph (1), for the 2008–09 and*
14 *2009–10 fiscal years, the amount of money to be transferred from*
15 *the Proposition 98 Reversion Account to the School Facilities*
16 *Emergency Repair Account pursuant to paragraph (1) shall be*
17 *zero.*

18 (c) The Legislature may transfer to the School Facilities
19 Emergency Repair Account other one-time Proposition 98 funds,
20 except funds specified pursuant to Section 41207. Donations by
21 private entities shall be deposited in the account and, for tax
22 purposes, be treated as otherwise provided by law.

23 (d) Funds shall be transferred pursuant to this section until a
24 total of eight hundred million dollars (\$800,000,000) has been
25 disbursed from the School Facilities Emergency Repair Account.

26 *SEC. 7. Section 17592.74 is added to the Education Code, to*
27 *read:*

28 *17592.74. Notwithstanding any other law, the funds provided*
29 *to school districts from the School Facilities Emergency Repair*
30 *Account pursuant to this article for the purpose of emergency*
31 *repair grants shall not be used to do either of the following:*

32 (a) *Supplant funds provided to local educational agencies for*
33 *the deferred maintenance of school facilities pursuant to Sections*
34 *17584 and 17587.*

35 (b) *Be deposited into a school district deferred maintenance*
36 *fund for the purposes established pursuant to Section 17582.*

37 *SEC. 8. Section 41207.3 is added to the Education Code, to*
38 *read:*

39 *41207.3. (a) If the Superintendent and the Director of Finance*
40 *jointly determine that, for the 2008–09 fiscal year, the state has*

1 *applied moneys for the support of school districts and community*
2 *college districts in an amount that exceeds the minimum amount*
3 *required for that fiscal year pursuant to Section 8 of Article XVI*
4 *of the California Constitution, one billion one hundred million*
5 *five hundred ninety thousand dollars (\$1,100,590,000) shall be*
6 *deemed, as of June 30 of that fiscal year, a payment in satisfaction*
7 *of the outstanding balance of the minimum funding obligation*
8 *under that section for the 2002–03 and 2003–04 fiscal years in*
9 *accordance with the following:*

10 (1) *Four hundred eighty-three million sixteen thousand dollars*
11 *(\$483,016,000) in payment of the outstanding balance of the*
12 *minimum funding obligation for the 2002–03 fiscal year.*

13 (2) *Six hundred seventeen million five hundred seventy-four*
14 *thousand dollars (\$617,574,000) in payment of the outstanding*
15 *balance of the minimum funding obligation for the 2003–04 fiscal*
16 *year.*

17 (b) *For purposes of this section, the outstanding balance of the*
18 *minimum funding obligation to school districts and community*
19 *college districts pursuant to Section 8 of Article XVI of the*
20 *California Constitution for a fiscal year is the amount, if any, by*
21 *which the amount required to be applied by the state for the support*
22 *of school districts and community college districts pursuant to*
23 *Section 8 of Article XVI of the California Constitution, including*
24 *any maintenance factor that should have been allocated in that*
25 *fiscal year pursuant to subdivision (e) of Section 8 of Article XVI,*
26 *exceeds the amount applied by the state for the support of school*
27 *districts and community college districts for that fiscal year.*

28 (c) *The amounts allocated pursuant to this section shall be*
29 *deemed, for purposes of Section 8 of Article XVI of the California*
30 *Constitution, to be appropriations made and allocated in the fiscal*
31 *year in which the deficiencies resulting in the outstanding balance*
32 *were incurred. When the amount determined to be owed for each*
33 *such fiscal year is fully allocated pursuant to this subdivision, the*
34 *data used in the computations made under this section with regard*
35 *to the total amount owed by the state for the support of school*
36 *districts and community college districts pursuant to Section 8 of*
37 *Article XVI of the California Constitution for that fiscal year,*
38 *including as much of the maintenance factor for that fiscal year*
39 *determined pursuant to subdivision (d) of Section 8 of Article XVI*
40 *as has been allocated as required by subdivision (e) of Section 8*

1 of Article XVI by virtue of the allocations made under this section,
2 shall be deemed certified for purposes of Section 41206.

3 SEC. 9. Section 41509 is added to the Education Code, to read:

4 41509. Notwithstanding any other provision of law, for the
5 2008–09 fiscal year, the Superintendent shall apportion pupil
6 retention block grant funds only to school districts operating
7 continuation high schools, as set forth in Section 42243.7. The
8 share of funding for the 2008–09 fiscal year received by a school
9 district shall equal its statewide share of total continuation high
10 school funding received in the 2003–04 fiscal year, adjusted for
11 continuation high schools that have been opened or closed within
12 the school district since the end of that fiscal year, as determined
13 by the Superintendent.

14 SEC. 10. Section 42238.146 of the Education Code is amended
15 to read:

16 42238.146. (a) (1) For the 2003–04 fiscal year, the revenue
17 limit for each school district determined pursuant to this article
18 shall be reduced by a 1.198 percent deficit factor.

19 (2) For the 2004–05 fiscal year, the revenue limit for each school
20 district determined pursuant to this article shall be reduced by a
21 0.323 percent deficit factor.

22 (3) For the 2003–04 and 2004–05 fiscal years, the revenue limit
23 for each school district determined pursuant to this article shall be
24 further reduced by a 1.826 percent deficit factor.

25 (4) For the 2005–06 fiscal year, the revenue limit for each school
26 district determined pursuant to this article shall be reduced by a
27 0.892 percent deficit factor.

28 (5) For the 2008–09 fiscal year, the revenue limit for each school
29 district determined pursuant to this article shall be reduced by a
30 ~~4.713~~ 5.357 percent deficit factor.

31 (b) In computing the revenue limit for each school district for
32 the 2006–07 fiscal year pursuant to this article, the revenue limit
33 shall be determined as if the revenue limit for that school district
34 had been determined for the 2003–04, 2004–05, and 2005–06 fiscal
35 years without being reduced by the deficit factors specified in ~~this~~
36 ~~section~~ subdivision (a).

37 (c) In computing the revenue limit for each school district for
38 the 2009–10 fiscal year pursuant to this article, the revenue limit
39 shall be determined as if the revenue limit for that school district
40 had been determined for the 2008–09 fiscal year without being

1 reduced by the deficit factors specified in ~~this section~~ *subdivision*
2 (a).

3 *SEC. 11. Section 47634.1 of the Education Code is amended*
4 *to read:*

5 47634.1. (a) Notwithstanding subdivision (a) of Section 47634,
6 a categorical block grant for charter schools for the 2005–06 fiscal
7 year shall be calculated as follows:

8 (1) The Superintendent shall divide the total amount of funding
9 appropriated for the purpose of this block grant in the annual
10 Budget Act or another statute, less the total amount calculated in
11 paragraph (2), by the statewide total of charter school average
12 daily attendance, as determined at the second principal
13 apportionment for the 2005–06 fiscal year.

14 (2) The statewide average amount, as computed by the
15 Superintendent, of funding per identified educationally
16 disadvantaged pupil received by school districts in the current
17 fiscal year pursuant to Article 2 (commencing with Section 54020)
18 of Chapter 1 of Part 29. This amount shall be multiplied by the
19 number of educationally disadvantaged pupils enrolled in the
20 charter school. The resulting amount, if greater than zero, may not
21 be less than the minimum amount of Economic Impact Aid funding
22 to which a school district of similar size would be entitled pursuant
23 to Section 54022. For purposes of this subdivision, a pupil who is
24 eligible for subsidized meals pursuant to Section 49552 and is
25 identified as an English learner pursuant to subdivision (a) of
26 Section 306 shall count as two pupils.

27 (3) For each charter school, the Superintendent shall multiply
28 the amount calculated in paragraph (1) by the school’s average
29 daily attendance as determined at the second principal
30 apportionment for the 2005–06 fiscal year.

31 (4) The Superintendent shall add the amounts computed in
32 paragraphs (2) and (3). The resulting amount shall be the charter
33 school categorical block grant that the Superintendent shall
34 apportion to each charter school from funds appropriated for this
35 purpose in the annual Budget Act or another statute. The
36 Superintendent shall allocate an advance payment of this grant as
37 early as possible, but no later than October 31, 2005, based on
38 prior year average daily attendance as determined at the second
39 principal apportionment or, for a charter school in its first year of
40 operation that commences instruction on or before September 30,

1 2005, on estimates of average daily attendance for the current fiscal
2 year determined pursuant to Section 47652.

3 (b) (1) For the 2006–07 fiscal year, the categorical block grant
4 allocated by the Superintendent for charter schools shall be four
5 hundred dollars (\$400) per unit of charter school average daily
6 attendance as determined at the second principal apportionment
7 for the 2006–07 fiscal year. This amount shall be supplemented
8 by the amount calculated in paragraph (2).

9 (2) The statewide average amount, as computed by the
10 Superintendent, of funding per economic impact aid-eligible pupil
11 count received by school districts in the current fiscal year,
12 pursuant to Article 2 (commencing with Section 54020) of Chapter
13 1 of Part 29, shall be multiplied by the number of economic impact
14 aid-eligible pupils enrolled in the charter school. The resulting
15 amount, if greater than zero, may not be less than the minimum
16 amount of Economic Impact Aid funding to which a school district
17 of similar size would be entitled pursuant to Section 54022.

18 (c) (1) For the 2007–08 fiscal year, the categorical block grant
19 allocated by the Superintendent for charter schools shall be five
20 hundred dollars (\$500) per unit of charter school average daily
21 attendance as determined at the second principal apportionment
22 for the 2007–08 fiscal year. For each fiscal year thereafter, this
23 per unit amount shall be adjusted for the cost-of-living adjustment,
24 as determined pursuant to Section 42238.1, for that fiscal year.
25 This amount shall be supplemented in the 2007–08 fiscal year and
26 each fiscal year thereafter by the amount calculated in paragraph
27 (2).

28 (2) The statewide average amount, as computed by the
29 Superintendent, of funding per economic impact aid-eligible pupil
30 count received by school districts in the current year, pursuant to
31 Article 2 (commencing with Section 54020) of Chapter 1 of Part
32 29, shall be multiplied by the number of economic impact
33 aid-eligible pupils enrolled in the charter school. The resulting
34 amount, if greater than zero, may not be less than the minimum
35 amount of Economic Impact Aid funding to which a school district
36 of similar size would be entitled pursuant to Section 54022.

37 (3) *Notwithstanding paragraph (1), for the 2008–09 fiscal year,*
38 *the categorical block grant allocated by the Superintendent for*
39 *charter schools shall be four hundred dollars (\$400) per unit of*
40 *charter school average daily attendance as determined at the*

1 *second principal apportionment for the 2008–09 fiscal year. This*
2 *amount shall be supplemented in the 2008–09 fiscal year by the*
3 *amount calculated in paragraph (2).*

4 (d) It is the intent of the Legislature to fully fund the categorical
5 block grant for charter schools as specified in this section and to
6 appropriate additional funding that may be needed in order to
7 compensate for unanticipated increases in average daily attendance
8 and counts of economic impact aid-eligible pupils, pursuant to
9 Article 2 (commencing with Section 54020) of Chapter 1 of Part
10 29, in charter schools. In any fiscal year in which the department
11 identifies a deficiency in the categorical block grant, the department
12 shall identify the available balance for programs that count towards
13 meeting the requirements of Section 8 of Article XVI of the
14 California Constitution and have unobligated funds for the year.
15 On or before July 1, the department shall provide the Department
16 of Finance with a list of those programs and their available
17 balances, and the amount of the deficiency, if any, in the categorical
18 block grant. Within 45 days of the receipt of a notification of
19 deficiency, the Director of Finance shall verify the amount of the
20 deficiency in the categorical block grant and direct the Controller
21 to transfer an amount, equal to the lesser of the amount available
22 or the amount needed to fully fund the categorical block grant,
23 from those programs to the categorical block grant. The Department
24 of Finance shall notify the Joint Legislative Budget Committee
25 within 30 days of any transfer made pursuant to this section.

26 (e) Commencing October 1, 2007, the Legislative Analyst’s
27 Office shall triennially convene a work group to review,
28 commencing with appropriations proposed for the 2008–09 fiscal
29 year, the appropriateness of the funding level provided by the
30 categorical block grant established in this section.

31 (f) Categorical block grant funding may be used for any purpose
32 determined by the governing body of the charter school.

33 *SEC. 12. Section 49452.8 of the Education Code is amended*
34 *to read:*

35 49452.8. (a) A pupil, while enrolled in kindergarten in a public
36 school, or while enrolled in first grade in a public school if the
37 pupil was not previously enrolled in kindergarten in a public
38 school, no later than May 31 of the school year, shall present proof
39 of having received an oral health assessment by a licensed dentist,
40 or other licensed or registered dental health professional operating

1 within his or her scope of practice, that was performed no earlier
2 than 12 months prior to the date of the initial enrollment of the
3 pupil.

4 (b) The parent or legal guardian of a pupil may be excused from
5 complying with subdivision (a) by indicating on the form described
6 in subdivision (d) that the oral health assessment could not be
7 completed because of one or more of the reasons provided in
8 subparagraphs (A) to (C), inclusive, of paragraph (2) of subdivision
9 (d).

10 (c) A public school shall notify the parent or legal guardian of
11 a pupil described in subdivision (a) concerning the assessment
12 requirement. The notification, at a minimum, shall consist of a
13 letter that includes all of the following:

14 (1) An explanation of the administrative requirements of this
15 section.

16 (2) Information on the importance of primary teeth.

17 (3) Information on the importance of oral health to overall health
18 and to learning.

19 (4) A toll-free telephone number to request an application for
20 Healthy Families, Medi-Cal, or other government-subsidized health
21 insurance programs.

22 (5) Contact information for county public health departments.

23 (6) A statement of privacy applicable under state and federal
24 laws and regulations.

25 (d) In order to ensure uniform data collection, the department,
26 in consultation with interested persons, shall develop and make
27 available on the Internet Web site of the department, a standardized
28 notification form as specified in subdivision (c) that shall be used
29 by each school district. The standardized form shall include all of
30 the following:

31 (1) A section that can be used by the licensed dentist or other
32 licensed or registered dental health professional performing the
33 assessment to record information that is consistent with the
34 information collected on the oral health assessment form developed
35 by the Association of State and Territorial Dental Directors.

36 (2) A section in which the parent or legal guardian of a pupil
37 can indicate the reason why an assessment could not be completed
38 by marking the box next to the appropriate reason. The reasons
39 for not completing an assessment shall include all of the following:

1 (A) Completion of an assessment poses an undue financial
2 burden on the parent or legal guardian.

3 (B) Lack of access by the parent or legal guardian to a licensed
4 dentist or other licensed or registered dental health professional.

5 (C) The parent or legal guardian does not consent to an
6 assessment.

7 (e) Upon receiving completed assessments, all school districts,
8 by December 31 of each year, shall submit a report to the county
9 office of education of the county in which the school district is
10 located. The report shall include all of the following:

11 (1) The total number of pupils in the district, by school, who
12 are subject to the requirement to present proof of having received
13 an oral health assessment pursuant to subdivision (a).

14 (2) The total number of pupils described in paragraph (1) who
15 present proof of an assessment.

16 (3) The total number of pupils described in paragraph (1) who
17 could not complete an assessment due to financial burden.

18 (4) The total number of pupils described in paragraph (1) who
19 could not complete an assessment due to lack of access to a
20 licensed dentist or other licensed or registered dental health
21 professional.

22 (5) The total number of pupils described in paragraph (1) who
23 could not complete an assessment because their parents or legal
24 guardians did not consent to their child receiving the assessment.

25 (6) The total number of pupils described in paragraph (1) who
26 are assessed and found to have untreated decay.

27 (7) The total number of pupils described in paragraph (1) who
28 did not return either the assessment form or the waiver request to
29 the school.

30 (f) Each county office of education shall maintain the data
31 described in subdivision (e) in a manner that allows the county
32 office to release it upon request.

33 (g) This section does not prohibit any of the following:

34 (1) County offices of education from sharing aggregate data
35 collected pursuant to this section with other governmental agencies,
36 philanthropic organizations, or other nonprofit organizations for
37 the purpose of data analysis.

38 (2) Use of assessment data that is compliant with the federal
39 Health Insurance Portability and Accountability Act of 1996 (P.L.

1 104-191) for purposes of conducting research and analysis on the
2 oral health status of public school pupils in California.

3 (h) This section does not preclude a school district or county
4 office of education from developing a schoolsite-based oral health
5 assessment program to meet the requirements of this section.

6 (i) The Office of Oral Health of the Chronic Disease Control
7 Branch of the State Department of Public Health shall conduct an
8 evaluation of the requirements imposed by this section and prepare
9 and submit a report to the Legislature by January 1, 2010, that
10 discusses improvements in the oral health of children resulting
11 from the imposition of those requirements. The Office of Oral
12 Health may receive private funds and contract with the University
13 of California to fulfill the duties described in this subdivision.

14 (j) Funds appropriated in the annual Budget Act for the activities
15 required by this section shall first be used to offset reimbursement
16 provided to local educational agencies pursuant to Part 7
17 (commencing with Section 17500) of Division 4 of Title 2 of the
18 Government Code for state-mandated costs imposed by this section.

19 (k) *This section shall be inoperative for the 2008–09 and*
20 *2009–10 fiscal years only.*

21 *SEC. 13. Section 52055.60 is added to the Education Code, to*
22 *read:*

23 *52055.60. Notwithstanding any other provision of law, for the*
24 *2008–09 and 2009–10 fiscal years, a school, school district, county*
25 *office of education, or charter school that has been identified for*
26 *program improvement under the federal No Child Left Behind Act*
27 *of 2001 shall not be required to participate in the Mathematics*
28 *and Reading Professional Development Program (Article 3*
29 *commencing with Section 99230) of Chapter 5 of Part 65 of*
30 *Division 14 of Title 3) or the Administrator Training Program*
31 *(Article 4.6 (commencing with Section 44510) of Chapter 3 of Part*
32 *25 of Division 3).*

33 *SEC. 14. Section 52055.651 is added to the Education Code,*
34 *to read:*

35 *52055.651. (a) Notwithstanding Section 52055.650, for the*
36 *2008–09 fiscal year, a school participating in the High Priority*
37 *Schools Grant Program shall not be subject to review by the state*
38 *board, state monitoring, and sanctions.*

39 *(b) Notwithstanding any other provision of a law, for the*
40 *2008–09 and 2009–10 fiscal years, a state-monitored school*

1 pursuant to Section 52055.650 shall not be required to participate
2 in the Mathematics and Reading Professional Development
3 Program (Article 3 (commencing with Section 99230) of Chapter
4 5 of Part 65 of Division 14 of Title 3) or the Administrator Training
5 Program (Article 4.6 (commencing with Section 44510) of Chapter
6 3 of Part 25 of Division 3).

7 SEC. 15. Section 60422.1 is added to the Education Code, to
8 read:

9 60422.1. (a) Notwithstanding subdivision (i) of Section 60200,
10 Section 60422, or any other provision of law, for the 2008–09 and
11 2009–10 fiscal years, the governing board of a school district shall
12 not be required to provide pupils with instructional materials by
13 a specified period of time following adoption of those materials
14 by the state board.

15 (b) Notwithstanding subdivision (a), this section shall not be
16 construed to relieve school districts of their obligations under the
17 law to provide every pupil with standards-aligned textbooks or
18 instructional materials, as provided in Section 60119.

19 (c) This section shall not be construed to relieve school districts
20 of the obligation to hold a public hearing or hearings pursuant to
21 subparagraphs (A) and (B) of paragraph (1) of subdivision (a) of
22 Section 60119.

23 (d) This section shall become inoperative on July 1, 2010, and,
24 as of January 1, 2011, is repealed, unless a later enacted statute,
25 that becomes operative on or before January 1, 2011, deletes or
26 extends the dates on which it becomes inoperative and is repealed.

27 SEC. 16. Section 33 of Chapter 757 of the Statutes of 2008 is
28 repealed.

29 ~~SEC. 33. (a) The sum of thirty nine million seven hundred~~
30 ~~eighty thousand dollars (\$39,780,000) is hereby appropriated from~~
31 ~~the General Fund to the Board of Governors of the California~~
32 ~~Community Colleges, in augmentation of Schedule (1) of Item~~
33 ~~6870-101-0001 of Section 2.00 of the Budget Act of 2008, for~~
34 ~~the purpose of providing a 0.68 percent cost-of-living adjustment~~
35 ~~to apportionments to community college districts, for expenditure~~
36 ~~during the 2008–09 fiscal year.~~

37 ~~(b) For the purposes of making the computations required by~~
38 ~~Section 8 of Article XVI of the California Constitution, the~~
39 ~~appropriation made by subdivision (a) shall be deemed to be~~
40 ~~“General Fund revenues appropriated for community college~~

1 districts,” as defined in subdivision (d) of Section 41202 of the
2 Education Code, for the 2008–09 fiscal year, and included within
3 the “total allocations to school districts and community college
4 districts from General Fund proceeds of taxes appropriated pursuant
5 to Article XIII B,” as defined in subdivision (e) of Section 41202
6 of the Education Code, for the 2008–09 fiscal year.

7 SEC. 17. Section 36 of Chapter 757 of the Statutes of 2008 is
8 amended to read:

9 SEC. 36. Notwithstanding paragraphs (1) and (2) of subdivision
10 (d) of Section 41207 of the Education Code, there shall be no
11 annual appropriation in the 2008–09, 2009–10, 2010–11, 2011–12,
12 and 2012–13 fiscal year years from the General Fund to the
13 Controller for allocation by the Controller to school districts and
14 community colleges for the purposes described in Section 41207.

15 SEC. 18. Item 6110-105-0001 of Section 2.00 of the Budget
16 Act of 2008 is amended to read:

17
18 6110-105-0001—For local assistance, Department of Education
19 (Proposition 98), Program 10.10-Instruction, for transfer
20 to Section A of the State School Fund, for the purposes of
21 Article 1 (commencing with Section 52300) of Chapter 9
22 of Part 28 of Division 4 of Title 2 of the Education Code.... 443,355,000
23 244,621,584

24 Schedule:

- 25 (1) 10.10.004-Instruction Program—
- 26 School Apportionments, Regional Oc-
- 27 cupational Centers and Programs..... 450,672,000
- 28 251,938,584
- 29 (2) Reimbursements..... -7,317,000

30 Provisions:

- 31 1. Notwithstanding any other provision of law, the funds
- 32 appropriated in this item are for transfer by the Con-
- 33 troller to Section A of the State School Fund, in lieu
- 34 of the amount that otherwise would be appropriated
- 35 for transfer from the General Fund in the State Trea-
- 36 sury to Section A of the State School Fund for the
- 37 current fiscal year pursuant to Sections 14002 and
- 38 14004 of the Education Code, in an amount as needed
- 39 for apportionment pursuant to Article 1 (commencing

- 1 with Section 52300) of Chapter 9 of Part 28 of Divi-
2 sion 4 of Title 2 of the Education Code.
- 3 2. Notwithstanding any other provision of law, the funds
4 appropriated in this item may not be expended for the
5 purposes of providing or continuing incentive funding
6 for a longer instructional year pursuant to Section
7 46200 of the Education Code.
- 8 3. Notwithstanding any other provision of law, funds
9 appropriated in this item for average daily attendance
10 (ADA) generated by participants in welfare-to-work
11 activities under the CalWORKs program established
12 in Article 3.2 (commencing with Section 11320) of
13 Chapter 2 of Part 3 of Division 9 of the Welfare and
14 Institutions Code may be appropriated on an advance
15 basis to local educational agencies based on anticipated
16 units of ADA if a prior application for this additional
17 ADA funding has been approved by the Superintendent
18 of Public Instruction.
- 19 4. Of the amount appropriated in this item, \$1,161,000
20 is to fund remedial educational services for participants
21 in welfare-to-work activities under the CalWORKs
22 program.
- 23 5. The funds appropriated in this item reflect a reduction
24 to the base funding of 0.55 percent for a statewide
25 decline in 11th and 12th grade average daily atten-
26 dance. If growth funds are insufficient, the State De-
27 partment of Education may adjust the per-pupil growth
28 rates to conform to available funds. Additionally, \$0
29 is for the purpose of providing a cost-of-living adjust-
30 ment.
- 31 6. An additional \$39,630,000 in expenditures for this
32 item has been deferred until the 2009–10 fiscal year.

33
34 *SEC. 19. Item 6110-196-0001 of Section 2.00 of the Budget*
35 *Act of 2008 is amended to read:*

1 6110-196-0001—For local assistance, Department of Educa-
 2 tion (Proposition 98), for transfer by the Controller to
 3 Section A of the State School Fund, for allocation by
 4 the Superintendent of Public Instruction to school dis-
 5 tricts, county offices of education, and other agencies
 6 for the purposes of Proposition 98 educational programs
 7 funded in this item, in lieu of the amount that otherwise
 8 would be appropriated pursuant to any other statute..... 1,772,364,000
 9 1,677,749,238

10 Schedule:

- 11 (1) 30.10.010-Special Program, Child De-
 12 velopment, Preschool Education..... 441,854,000
 13 426,327,218
- 14 (1.5) 30.10.020-Child Care Services..... 1,857,104,000
 15 1,797,309,020
- 16 (a) 30.10.020.001-Spe-
 17 cial Program, Child
 18 Development, Gen-
 19 eral Child Develop-
 20 ment Programs..... 804,649,000
 21 773,811,162
- 22 (c) 30.10.020.004-Spe-
 23 cial Program, Child
 24 Development, Mi-
 25 grant Day Care..... 40,570,000
 26 35,965,924
- 27 (d) 30.10.020.007-Spe-
 28 cial Program, Child
 29 Development, Alter-
 30 native Payment Pro-
 31 gram..... 257,037,000
- 32 (e) 30.10.020.011-Spe-
 33 cial Program, Child
 34 Development, Alter-
 35 native Payment Pro-
 36 gram—Stage 2..... 369,960,000
 37 349,960,000

1	(f) 30.10.020.012-Spe-	
2	cial Program, Child	
3	Development, Alter-	
4	native Payment Pro-	
5	gram—Stage 3 Seta-	
6	side.....	245,204,000
7	(g) 30.10.020.008-Spe-	
8	cial Program, Child	
9	Development, Re-	
10	source and Refer-	
11	ral.....	19,438,000
12		19,437,396
13	(i) 30.10.020.015-Spe-	
14	cial Program, Child	
15	Development, Extend-	
16	ed Day Care.....	35,890,000
17		31,552,943
18	(j) 30.10.020.096-Special	
19	Program, Child Devel-	
20	opment, Allowance for	
21	Handicapped.....	1,997,000
22		1,983,000
23	(k) 30.10.020.106-Special	
24	Program, Child Devel-	
25	opment, California	
26	Child Care Initia-	
27	tive.....	250,000
28	(l) 30.10.020.901-Spe-	
29	cial Program, Child	
30	Development, Quali-	
31	ty Improvement.....	67,572,000
32	(m) 30.10.020.911-Special	
33	Program, Child Devel-	
34	opment, Centralized	
35	Eligibility List.....	7,900,000
36	(n) 30.10.020.920-Special	
37	Program, Child Devel-	
38	opment, Local Plan-	
39	ning Councils.....	6,637,000
40		6,635,595

1	(3) 30.10.020.908-Special Program, Child	
2	Development, Cost-of-Living Adjust-	
3	ments.....	0
4	(4) 30.10.020.909-Special Program, Child	
5	Development, Growth Adjustments.....	10,917,000
6	(5) Amount payable from the Federal	
7	Trust Fund (Item 6110-196-0890).....	-537,511,000
8		-556,804,000

- 9 Provisions:
- 10 1. Notwithstanding Section 8278 of the Education Code,
- 11 funds available for expenditure pursuant to that section
- 12 shall be expended in the current fiscal year pursuant
- 13 to the following schedule:
- 14 (a) \$4,000,000 or whatever lesser or greater amount
- 15 is necessary for accounts payable pursuant to
- 16 paragraph (1) of subdivision (b) of Section 8278
- 17 of the Education Code.
- 18 (b) \$22,963,000 shall be available for CalWORKs
- 19 Stage 3 child care.
- 20 (c) The Controller shall establish an account entitled
- 21 "Section 8278 Expenditures in 2007" in Item
- 22 6110-196-0001, Program 30.10.060. Any unex-
- 23 pended General Fund balances as of June 30,
- 24 2008, or subsequent abatements, from those
- 25 amounts listed in Schedules (1), (1.5)(a), (1.5)(c),
- 26 (1.5)(d), (1.5)(g), (1.5)(i), (1.5)(j), (1.5)(k),
- 27 (1.5)(l), and (1.5)(n), that are available pursuant
- 28 to Section 8278 of the Education Code, shall be
- 29 transferred to the account for the purpose of
- 30 making expenditures pursuant to that section and
- 31 as specified in this provision.
- 32 2. (a) Notwithstanding any other provision of law, alter-
- 33 native payment child care programs shall be sub-
- 34 ject to the rate ceilings established in the Regional
- 35 Market Rate Survey of California child care and
- 36 development providers for provider payments.
- 37 When approved pursuant to Section 8447 of the
- 38 Education Code, any changes to the market rate
- 39 limits, adjustment factors, or regions shall be uti-
- 40 lized by the State Department of Education and

1 the State Department of Social Services in various
2 programs under the jurisdiction of either depart-
3 ment.

- 4 (b) Notwithstanding any other provision of law, the
5 funds appropriated in this item for the cost of li-
6 censed child care services provided through alter-
7 native payment or voucher programs, including
8 those provided under Article 3 (commencing with
9 Section 8220) and Article 15.5 (commencing with
10 Section 8350) of Chapter 2 of Part 6 of Division
11 1 of Title 1 of the Education Code, shall be used
12 only to reimburse child care costs up to the 85th
13 percentile of the rates charged by providers offer-
14 ing the same type of child care for the same age
15 child in that region effective March 1, 2009, based
16 on the 2007 Regional Market Rate Survey data.
17 The State Department of Education shall cause
18 to be developed rate limits at the 85th percentile,
19 based on the 2007 survey data, and submit for
20 approval in accordance with law to the Depart-
21 ment of Finance no later than October 1, 2008, to
22 enable the rate limits to be reviewed and then
23 implemented by March 1, 2009. The State Depart-
24 ment of Education may redirect funding from
25 funds normally reserved for new surveys to
26 achieve this goal, as necessary.

- 27 3. Of the amount appropriated in Schedule (1),
28 \$50,000,000 is available for Prekindergarten and
29 Family Literacy preschool programs pursuant to
30 Chapter 211 of the Statutes of 2006. Of the amount
31 appropriated in Schedule (1), \$5,000,000 is available
32 for the provision of wraparound care to children en-
33 rolled in state preschool programs. The Superintendent
34 of Public Instruction shall assign priority for these
35 funds to children enrolled in prekindergarten and
36 family literacy programs authorized by Section 8238.4
37 of the Education Code.

- 38 4. Funds in Schedule (1.5)(I) shall be reserved for activ-
39 ities to improve the quality and availability of child
40 care, pursuant to the following:

- 1 (a) \$2,014,056 is for the schoolage care and resource
- 2 and referral earmark.
- 3 (b) \$11,359,176 is for the infant and toddler earmark
- 4 and shall be used for increasing the supply of
- 5 quality child care for infants and toddlers.
- 6 (c) \$7,237,000 in one-time federal funding is avail-
- 7 able for use in the 2008–09 fiscal year. Of that
- 8 amount, \$200,000 shall be used for Trustline
- 9 registration workload (Chapter 3.35 (commencing
- 10 with Section 1596.60) of Division 2 of the Health
- 11 and Safety Code). The remaining funds shall be
- 12 used for child care and development quality ex-
- 13 penditures identified by the State Department of
- 14 Education (SDE) and approved by the Department
- 15 of Finance.
- 16 (d) From the remaining funds in Schedule (1.5)(I),
- 17 the following amounts shall be allocated for the
- 18 following purposes: \$4,000,000 to train former
- 19 CalWORKs recipients as child care teachers,
- 20 \$2,700,000 for contracting with the State Depart-
- 21 ment of Social Services (DSS) for increased in-
- 22 spections of child care facilities, \$1,000,000 for
- 23 Trustline registration workload (Chapter 3.35
- 24 (commencing with Section 1596.60) of Division
- 25 2 of the Health and Safety Code), \$500,000 for
- 26 health and safety training for licensed and exempt
- 27 child care providers, \$300,000 for the Health
- 28 Hotline, and \$300,000 to implement a technical
- 29 assistance program to child care providers in ac-
- 30 cessing financing for renovation, expansion, or
- 31 construction of child care facilities.
- 32 5. Of the amount appropriated in Schedule (1.5)(I),
- 33 \$15,000,000 shall be for child care worker recruitment
- 34 and retention programs pursuant to Section 8279.7 of
- 35 the Education Code, and \$320,000 shall be for the
- 36 Child Development Training Consortium.
- 37 6. (a) The State Department of Education (SDE) shall
- 38 conduct monthly analyses of CalWORKs Stage
- 39 2 and Stage 3 caseloads and expenditures and
- 40 adjust agency contract maximum reimbursement

- 1 amounts and allocations as necessary to ensure
2 funds are distributed proportionally to need. The
3 SDE shall share monthly caseload analyses with
4 the State Department of Social Services (DSS).
- 5 (b) The SDE shall provide quarterly information re-
6 garding the sufficiency of funding for Stage 2 and
7 Stage 3 to DSS. The SDE shall provide caseloads,
8 expenditures, allocations, unit costs, family fees,
9 and other key variables and assumptions used in
10 determining the sufficiency of state allocations.
11 Detailed backup by month and on a county-by-
12 county basis shall be provided to the DSS at least
13 on a quarterly basis for comparisons with Stage
14 1 trends.
- 15 (d) By September 30 and March 30 of each year, the
16 SDE shall ensure that detailed caseload and expendi-
17 ture data, through the most recent period for
18 Stage 2 and Stage 3 Setaside along with all rele-
19 vant assumptions, is provided to DSS to facilitate
20 budget development. The detailed data provided
21 shall include actual and projected monthly
22 caseload from Stage 2 scheduled to time off of
23 their transitional child care benefit from the last
24 actual month reported by agencies through the
25 next two fiscal years as well as local attrition ex-
26 perience. DSS shall utilize data provided by the
27 SDE, including key variables from the prior fiscal
28 year and the first two months of the current fiscal
29 year, to provide coordinated estimates in
30 November of each year for each of the three stages
31 of care for preparation of the Governor’s Budget,
32 and shall utilize data from at least the first two
33 quarters of the current fiscal year, and any addi-
34 tional monthly data as they become available for
35 preparation of the May Revision. The DSS shall
36 share its assumptions and methodology with the
37 SDE in the preparation of the Governor’s Budget.
- 38 (e) The SDE shall coordinate with the DSS to identify
39 annual general subsidized child care program ex-
40 penditures for Temporary Assistance for Needy

- 1 Families-eligible children. The SDE shall modify
- 2 existing reporting forms as necessary to capture
- 3 this data.
- 4 (f) The SDE shall provide to the DSS, upon request,
- 5 access to the information and data elements nec-
- 6 essary to comply with federal reporting require-
- 7 ments and any other information deemed neces-
- 8 sary to improve estimation of child care budgeting
- 9 needs.
- 10 7. Notwithstanding any other provision of law, the funds
- 11 in Schedule (1.5)(f) are reserved exclusively for con-
- 12 tinuing child care for the following: (a) former Cal-
- 13 WORKS families who are working, have left cash aid,
- 14 and have exhausted their two-year eligibility for tran-
- 15 sitional services in either Stage 1 or 2 pursuant to
- 16 subdivision (c) of Section 8351 or Section 8353 of the
- 17 Education Code, respectively, but still meet eligibility
- 18 requirements for receipt of subsidized child care ser-
- 19 vices, and (b) families who received lump-sum diver-
- 20 sion payments or diversion services under Section
- 21 11266.5 of the Welfare and Institutions Code and have
- 22 spent two years in Stage 2 off of cash aid, but still
- 23 meet eligibility requirements for receipt of subsidized
- 24 child care services.
- 25 8. Nonfederal funds appropriated in this item which have
- 26 been budgeted to meet the state’s Temporary Assis-
- 27 tance for Needy Families maintenance-of-effort require-
- 28 ment established pursuant to the federal Personal Re-
- 29 sponsibility and Work Opportunity Reconciliation Act
- 30 of 1996 (P.L. 104-193) may not be expended in any
- 31 way that would cause their disqualification as a feder-
- 32 ally allowable maintenance-of-effort expenditure.
- 33 9. (a) Notwithstanding any other provision of law, the
- 34 income eligibility limits pursuant to Section
- 35 8263.1 of the Education Code that were applicable
- 36 to the 2007–08 fiscal year shall remain in effect
- 37 for the 2008–09 fiscal year.
- 38 10. Of the amounts provided in this item, \$0 is available
- 39 to provide a cost-of-living adjustment for Schedules
- 40 (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(g), (1.5)(i),

1 (1.5)(j), and (1.5)(n). The maximum standard reim-
2 bursement rate shall not exceed \$34.38 per day for
3 general child care programs and \$21.22 per day for
4 state preschool programs. Furthermore, the migrant
5 child care and Cal-SAFE child care programs shall
6 adhere to the maximum standard reimbursement rates
7 as prescribed for the general child care programs. All
8 other rates and adjustment factors shall be revised to
9 conform.

- 10 11. Of the amounts provided in this item, \$10,917,000 is
11 available to provide a growth adjustment for Schedules
12 (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(i), and (1.5)(j).
- 13 12. (a) Notwithstanding any other provision of law, the
14 funds in Schedule (1.5)(m) are appropriated exclu-
15 sively for developing and maintaining a central-
16 ized eligibility list in each county pursuant to
17 Section 8227 of the Education Code. By Novem-
18 ber 1 of each year, the State Department of Edu-
19 cation shall provide a status report on implement-
20 ing eligibility lists in each county, which shall
21 include, but is not limited to, the cost of implemen-
22 tation and operation of the eligibility lists in each
23 county, and number of children and families on
24 the list for each county.
- 25 13. Notwithstanding Section 8278.3 of the Education Code
26 or any other provision of law, up to \$5,000,000 of the
27 Child Care Facilities Revolving Fund balance may be
28 allocated for use on a one-time basis for renovations
29 and repairs to meet health and safety standards, to
30 comply with the federal Americans with Disabilities
31 Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and to
32 perform emergency repairs, that were the result of an
33 unforeseen event and are necessary to maintain contin-
34 ued normal operation of the child care and develop-
35 ment program. These funds shall be made available
36 to school districts and contracting agencies that provide
37 subsidized center-based services pursuant to the Child
38 Care and Development Services Act (Chapter 2
39 (commencing with Section 8200) of Part 6 of Division
40 1 of Title 1 of the Education Code).

1 14. It is the intent of the Legislature to fully fund the third
2 stage of child care for former CalWORKs recipients.

3
4 *SEC. 20. Item 6110-196-0890 of Section 2.00 of the Budget*
5 *Act of 2008 is amended to read:*

6
7 6110-196-0890—For local assistance, Department of Education,
8 payable from the Federal Trust Fund..... 537,511,000
9 556,804,000

10 Provisions:

- 11 1. Notwithstanding any other provision of law, the funds
- 12 appropriated in this item, to the extent permissible
- 13 under federal law, are subject to Section 8262 of the
- 14 Education Code.
- 15 2. Of the funds appropriated in this item, \$10,000,000 is
- 16 from the transfer of funds, pursuant to Item 5180-402,
- 17 from the federal Temporary Assistance for Needy
- 18 Families (TANF) Block Grant administered by the
- 19 State Department of Social Services to the federal
- 20 Child Care and Development Block Grant for Stage
- 21 2 child care.
- 22 4. Of the funds appropriated in this item, \$7,237,000 is
- 23 available on a one-time basis for quality projects from
- 24 federal Child Care and Development Block Grant
- 25 funds appropriated prior to the 2008 federal fiscal year.
- 26 5. *Of the funds appropriated in this item, \$19,293,000 is*
- 27 *available on a one time basis from prior year carry-*
- 28 *over funds.*

29
30 *SEC. 21. Item 6110-244-0001 of Section 2.00 of the Budget*
31 *Act of 2008 is amended to read:*

32
33 6110-244-0001—For local assistance, Department of Education
34 (Proposition 98), Program 20.60 for transfer by the Con-
35 troller to Section A of the State School Fund, for allocation
36 by the Superintendent of Public Instruction for the
37 Teacher Credentialing Block Grant pursuant to Article 4
38 (commencing with Section 41520) of Chapter 3.2 of Part
39 24 of Division 3 of Title 2 of the Education Code..... ~~128,671,000~~
40 92,240,000

Provisions:

- 1. Of the funds appropriated in this item, ~~-\$3,329,000~~ \$2,480,000 is available to support the Teacher Credentialing Block Grant regional infrastructure.
- 2. It is the intent of the Legislature that first-year holders of preliminary teaching credentials, as defined in subdivision (b) of Section 44259 of the Education Code, be afforded first priority for funding appropriated in this item. To the extent that any funds appropriated in this item remain after all first-year holders of preliminary teaching credentials have been served, those funds may be used to serve second-year holders of preliminary teaching credentials.
- 3. If funds are insufficient to service all second-year holders of preliminary teaching credentials, the State Department of Education shall prorate the funds to conform to the amount remaining in this item, consistent with Provision 2. *It is the intent of the Legislature that second-year holders of preliminary teaching credentials receive focused mentoring, support, and assistance to ensure that they complete program requirements and qualify for the professional credential by the end of the second year. No funding shall be provided beyond the second year.*
- 4. Of the funds appropriated in this item, \$0 is provided for a cost-of-living adjustment for a total per-participant rate of \$4,069.
- 5. The funds in this item shall be made available only to beginning teachers, as defined in Section 44279.1 of the Education Code, serving in their first or second year of service in California.

SEC. 22. Item 6110-485 of Section 2.00 of the Budget Act of 2008 is amended to read:

6110-485—Reappropriation, (Proposition 98), Department of Education. The sum of \$100,000,000 is hereby reappropriated from the Proposition 98 Reversion Account, for the following purpose:
 0001—General Fund

1 (1) \$100,000,000 to the ~~School Facilities Program~~ for the
 2 ~~purpose of funding the School Facilities Emergency~~
 3 ~~Repair Account pursuant to Chapter 899 of the Statutes~~
 4 ~~of 2004. State Department of Education, on a one-time~~
 5 ~~basis, to backfill regional occupational centers and~~
 6 ~~programs.~~

7
 8 *SEC. 23. Item 6110-488 of Section 2.00 of the Budget Act of*
 9 *2008 is amended to read:*

10
 11 6110-488—Reappropriation (Proposition 98), Department of
 12 Education. Notwithstanding any other provision of law,
 13 the unobligated balances from the following items are
 14 available for reappropriation for the purposes specified in
 15 Provisions ~~1, 2, and 3~~, *4, and 5*:

16 0001—General Fund

- 17 (1) \$12,000 or whatever greater or lesser amount reflects
 18 the unexpended balance of the amount appropriated
 19 for preschool education and child care programs in
 20 Schedules (1) and (1.5) of Item 6110-196-0001 of the
 21 Budget Act of 2003 (Ch. 157, Stats. 2003), as carried
 22 forward per Provision 1 of Item 6110-196-0001 of the
 23 Budget Act of 2005 (Chs. 38 and 39, Stats. 2005).
- 24 (2) \$1,441,000 or whatever greater or lesser amount re-
 25 flects the unexpended balance of the amount appropri-
 26 ated for preschool education and child care programs
 27 in Schedules (1) and (1.5) of Item 6110-196-0001 of
 28 the Budget Act of 2004 (Ch. 208, Stats. 2004), as
 29 carried forward per Provision 1 of Item 6110-196-0001
 30 of the Budget Act of 2006 (Chs. 47 and 48, Stats.
 31 2006).
- 32 (3) \$3,663,000 or whatever greater or lesser amount re-
 33 flects the unexpended balance of the amount appropri-
 34 ated for preschool education and child care programs
 35 in Schedules (1) and (1.5) of Item 6110-196-0001 of
 36 the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005),
 37 \$1,749,000 of which was carried forward per Provision
 38 1 of Item 6110-196-0001 of the Budget Act of 2007
 39 (Chs. 171 and 172, Stats. 2007).

- 1 (4) \$12,921,000 or whatever greater or lesser amount re-
2 flects the unexpended balance of the amount appropri-
3 ated for CalWORKs Stage 2 and Stage 3 child care in
4 Schedules (1.5)(e) and (1.5)(f) of Item 6110-196-0001
5 of the Budget Act of 2006 (Chs. 47 and 48, Stats.
6 2006).
- 7 (6) \$18,120,000 or whatever greater or lesser amount re-
8 flects the unexpended balance of the amount appropri-
9 ated for preschool education and child care programs
10 in Schedules (1) and (1.5) of Item 6110-196-0001 of
11 the Budget Act of 2007 (Chs. 171 and 172, Stats.
12 2007), with the exception of Schedules (1.5)(e) and
13 (1.5)(f) for CalWORKs child care programs.
- 14 (7) \$8,000,000 of the amount appropriated to the Child
15 Care Facilities Revolving Fund established pursuant
16 to Section 8278.3 of the Education Code from Section
17 2.00 of the Budget Act of 2007 (Chs. 171 and 172,
18 Stats. 2007).
- 19 (8) \$5,000,000 or whatever greater or lesser amount re-
20 flects the unexpended balance of the amount appropri-
21 ated for the provision of wraparound care to children
22 enrolled in preschool programs pursuant to Section
23 8238.6 of the Education Code (Ch. 211, Stats. 2006).
- 24 (9) \$48,000 or whatever greater or lesser amount reflects
25 the unexpended funds from subdivision (a) of Section
26 9 of Chapter 734 of the Statutes of 1999.
- 27 (10) \$21,000 or whatever greater or lesser amount reflects
28 the unexpended balance of the amount appropriated
29 for Community-Based English Tutoring pursuant to
30 Section 315 of the Education Code, as enacted by
31 Proposition 227 in 1998.
- 32 (11) \$9,200,000 or whatever greater or lesser amount re-
33 flects the unexpended balance of the amount appropri-
34 ated for juvenile education in Item 5225-011-0001 of
35 the Budget Act of 2007 (Chs. 171 and 172, Stats.
36 2007).
- 37 (12) \$76,000 or whatever greater or lesser amount reflects
38 the unexpended balance of the amount appropriated
39 for Small School District Bus Replacement in

- 1 Schedule (2) of Item 6110-111-0001 of the Budget
- 2 Act of 2005 (Chs. 38 and 39, Stats. 2005).
- 3 (13) \$488,000 or whatever greater or lesser amount reflects
- 4 the unexpended balance of the amount appropriated
- 5 for Home to School Transportation in Schedule (1)
- 6 of Item 6110-111-0001 of the Budget Act of 2006
- 7 (Chs. 47 and 48, Stats. 2006).
- 8 (14) \$545,000 or whatever greater or lesser amount reflects
- 9 the unexpended balance of the amount appropriated
- 10 for the California High School Exit Examination in
- 11 Schedule (4) of Item 6110-113-0001 of the Budget
- 12 Act of 2006 (Chs. 47 and 48, Stats. 2006).
- 13 (15) \$2,060,000 or whatever greater or lesser amount re-
- 14 flects the unexpended balance of the amount appropri-
- 15 ated for Assessment Review and Reporting and the
- 16 STAR Program in Schedules (1) and (2) of Item 6110-
- 17 113-0001 of the Budget Act of 2007 (Chs. 171 and
- 18 172, Stats. 2007).
- 19 (16) \$19,000 or whatever greater or lesser amount reflects
- 20 the unexpended balance of the amount appropriated
- 21 for transfer to the State School Fund for specialized
- 22 secondary programs in Item 6110-122-0001 of the
- 23 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).
- 24 (17) \$17,000 or whatever greater or lesser amount reflects
- 25 the unexpended balance of the amount appropriated
- 26 for the Immediate Intervention/Underperforming
- 27 Schools Program Corrective Actions in Schedule (3)
- 28 of Item 6110-123-0001 of the Budget Act of 2005
- 29 (Chs. 38 and 39, Stats. 2005).
- 30 (18) \$2,993,000 or whatever greater or lesser amount re-
- 31 flects the unexpended balance of the amount appropri-
- 32 ated for the implementation of the Public Schools
- 33 Accountability Act of 1999 for the Immediate Inter-
- 34 vention/Underperforming Schools Program Corrective
- 35 Actions in Schedule (2) of Item 6110-123-0001 of the
- 36 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).
- 37 (19) \$615,000 or whatever greater or lesser amount reflects
- 38 the unexpended balance of the amount appropriated
- 39 for the implementation of the Public Schools Account-
- 40 ability Act of 1999 for the Immediate Intervention/Un-

- 1 derperforming Schools Program Corrective Actions
2 in Schedule (2) of Item 6110-123-0001 of the Budget
3 Act of 2007 (Chs. 171 and 172, Stats. 2007).
- 4 (20) \$5,149,000 or whatever greater or lesser amount re-
5 flects the unexpended balance of the amount appropri-
6 ated for the English Language Learners Program in
7 Schedule (2) of Item 6110-125-0001 of the Budget
8 Act of 2006 (Chs. 47 and 48, Stats. 2006).
- 9 (21) \$5,149,000 or whatever greater or lesser amount re-
10 flects the unexpended balance of the amount appropri-
11 ated for the English Language Acquisition Program
12 in Schedule (2) of Item 6110-125-0001 of the Budget
13 Act of 2007 (Chs. 171 and 172, Stats. 2007).
- 14 (22) \$109,000 or whatever greater or lesser amount reflects
15 the unexpended balance of the amount appropriated
16 for transfer to the State School Fund for Economic
17 Impact Aid in Schedule (1) of Item 6110-128-0001
18 of the Budget Act of 2005 (Chs. 38 and 39, Stats.
19 2005).
- 20 (23) \$4,000 or whatever greater or lesser amount reflects
21 the unexpended balance of the amount appropriated
22 for transfer to the State School Fund for Economic
23 Impact Aid in Item 6110-128-0001 of the Budget Act
24 of 2006 (Chs. 47 and 48, Stats. 2006).
- 25 (24) \$1,500,000 or whatever greater or lesser amount re-
26 flects the unexpended balance of the amount appropri-
27 ated for the Administrator Training Program in Item
28 6110-144-0001 of the Budget Act of 2007 (Chs. 171
29 and 172, Stats. 2007).
- 30 (25) \$7,000 or whatever greater or lesser amount reflects
31 the unexpended balance of the amount appropriated
32 for the American Indian Early Childhood Education
33 Program in Item 6110-150-0001 of the Budget Act
34 of 2006 (Chs. 47 and 48, Stats. 2006).
- 35 (26) \$110,000 or whatever greater or lesser amount reflects
36 the unexpended balance of the amount appropriated
37 for American Indian Education Centers in Schedule
38 (1) of Item 6110-151-0001 of the Budget Act of 2005
39 (Chs. 38 and 39, Stats. 2005).

- 1 (27) \$177,000 or whatever greater or lesser amount reflects
2 the unexpended balance of the amount appropriated
3 for American Indian Education Centers in Item 6110-
4 151-0001 of the Budget Act of 2006 (Chs. 47 and 48,
5 Stats. 2006).
- 6 (28) \$1,385,000 or whatever greater or lesser amount re-
7 flects the unexpended balance of the amount appropri-
8 ated for adults in correctional facilities in Item 6110-
9 158-0001 of the Budget Act of 2006 (Chs. 47 and 48,
10 Stats. 2006).
- 11 (29) \$107,000 or whatever greater or lesser amount reflects
12 the unexpended balance of the amount appropriated
13 for special education instruction in Schedule (1) of
14 Item 6110-161-0001 of the Budget Act of 2005 (Chs.
15 38 and 39, Stats. 2005).
- 16 (30) \$21,919,000 or whatever greater or lesser amount re-
17 flects the unexpended balance of the amount appropri-
18 ated for special education instruction in Schedule (1)
19 of Item 6110-161-0001 of the Budget Act of 2006
20 (Chs. 47 and 48, Stats. 2006).
- 21 (31) \$57,000 or whatever greater or lesser amount reflects
22 the unexpended balance of the amount appropriated
23 for vocational education for partnership academies in
24 Item 6110-166-0001 of the Budget Act of 2006 (Chs.
25 47 and 48, Stats. 2006).
- 26 (32) \$23,000 or whatever greater or lesser amount reflects
27 the unexpended balance of the amount appropriated
28 for the Agricultural Vocational Education Incentive
29 Program in Item 6110-167-0001 of the Budget Act
30 of 2005 (Chs. 38 and 39, Stats. 2005).
- 31 (33) \$369,000 or whatever greater or lesser amount reflects
32 the unexpended balance of the amount appropriated
33 for educational technology programs in Item 6110-
34 181-0001 of the Budget Act of 2005 (Chs. 38 and 39,
35 Stats. 2005).
- 36 (34) \$369,000 or whatever greater or lesser amount reflects
37 the unexpended balance of the amount transferred to
38 the State School Fund for educational technology
39 programs in Item 6110-181-0001 of the Budget Act
40 of 2006 (Chs. 47 and 48, Stats. 2006).

- 1 (35) \$27,000 or whatever greater or lesser amount reflects
2 the unexpended balance of the amount appropriated
3 for staff development for teacher peer review in
4 Schedule (2) of Item 6110-193-0001 of the Budget
5 Act of 2005 (Chs. 38 and 39, Stats. 2005).
- 6 (36) \$95,000 or whatever greater or lesser amount reflects
7 the unexpended balance of the amount appropriated
8 for the Bilingual Teacher Training Assistance Program
9 and teacher peer review in Schedules (1) and (2) of
10 Item 6110-193-0001 of the Budget Act of 2006 (Chs.
11 47 and 48, Stats. 2006).
- 12 (37) \$43,000 or whatever greater or lesser amount reflects
13 the unexpended balance of the amount appropriated
14 for transfer to the State School Fund for teacher dis-
15 missal apportionments in Item 6110-209-0001 of the
16 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).
- 17 (38) \$13,000 or whatever greater or lesser amount reflects
18 the unexpended balance of the amount appropriated
19 for School Community Policing Partnership Compet-
20 itive Grants Program in Schedule (5) of Item 6110-
21 228-0001 of the Budget Act of 2004 (Ch. 208, Stats.
22 2004).
- 23 (39) \$21,000 or whatever greater or lesser amount reflects
24 the unexpended balance of the amount appropriated
25 for the International Baccalaureate Diploma Program
26 in Schedule (1) of Item 6110-240-0001 of the Budget
27 Act of 2005 (Chs. 38 and 39, Stats. 2005).
- 28 (40) \$6,000 or whatever greater or lesser amount reflects
29 the unexpended balance of the amount appropriated
30 for the Teacher Credentialing Block Grant Program
31 in Item 6110-244-0001 of the Budget Act of 2006
32 (Chs. 47 and 48, Stats. 2006).
- 33 (41) \$79,000 or whatever greater or lesser amount reflects
34 the unexpended balance of the amount appropriated
35 for the School and Library Improvement Block Grant
36 Program in Item 6110-247-0001 of the Budget Act
37 of 2006 (Chs. 47 and 48, Stats. 2006).
- 38 (42) \$186,000 or whatever greater or lesser amount reflects
39 the unexpended balance of the amount appropriated
40 for the School and Library Improvement Block Grant

- 1 Program in Item 6110-247-0001 of the Budget Act
- 2 of 2007 (Chs. 171 and 172, Stats. 2007).
- 3 (43) \$30,000 or whatever greater or lesser amount reflects
- 4 the unexpended balance of the amount appropriated
- 5 for the Physical Education Teacher Incentive Grant
- 6 Program in Item 6110-260-0001 of the Budget Act
- 7 of 2006 (Chs. 47 and 48, Stats. 2006).
- 8 (44) \$641,000 or whatever greater or lesser amount reflects
- 9 the unexpended balance of the amount appropriated
- 10 to county offices of education for site visits for
- 11 Williams audits in Item 6110-266-0001 of the Budget
- 12 Act of 2007 (Chs. 171 and 172, Stats. 2007).
- 13 (45) \$101,000 or whatever greater or lesser amount reflects
- 14 the unexpended balance of the amount appropriated
- 15 for the Charter School Facility Grant Program in
- 16 Schedule (7) of Item 6110-485 of the Budget Act of
- 17 2005 (Chs. 38 and 39, Stats. 2005).
- 18 (46) \$600,000 or whatever greater or lesser amount reflects
- 19 the unexpended balance of the amount appropriated
- 20 for the Principal Training Program in Schedule (8) of
- 21 Item 6110-485 of the Budget Act of 2006 (Chs. 47
- 22 and 48, Stats. 2006).
- 23 (47) \$25,645,000 or whatever greater or lesser amount re-
- 24 flects the unexpended balance for the After School
- 25 Education and Safety Program in Item 6110-649-0001
- 26 from the 2004–05 fiscal year appropriation pursuant
- 27 to Section 8483.5 of the Education Code, as enacted
- 28 by Proposition 49 in 2002.
- 29 (48) \$178,352,000 or whatever greater or lesser amount
- 30 reflects the unexpended balance for the After School
- 31 Education and Safety Program in Item 6110-649-0001
- 32 from the 2007–08 fiscal year appropriation pursuant
- 33 to Section 8483.5 of the Education Code, as enacted
- 34 by Proposition 49 in 2002, and pursuant to Section
- 35 8483.51 of the Education Code as enacted by Chapter
- 36 2 of the Statutes of 2008, Third Extraordinary Session.
- 37 (49) \$20,000,000 or whatever greater or lesser amount re-
- 38 flects the unexpended balance of the amount appropri-
- 39 ated for special education instruction in Schedule (1)

- 1 of Item 6110-161-0001 of the Budget Act of 2007
2 (Chs. 171 and 172, Stats. 2007).
- 3 (50) \$520,000 or whatever greater or lesser amount reflects
4 the unexpended balance for the After School Educa-
5 tion and Safety Program in Item 6110-649-0001 from
6 the 2006–07 fiscal year appropriation pursuant to
7 Section 8483.5 of the Education Code, as enacted by
8 Proposition 49 in 2002, and pursuant to Section
9 8483.51 of the Education Code, as enacted by Chapter
10 2 of the Statutes of 2008, Third Extraordinary Session.
- 11 (51) *\$3,207,465 or whatever greater or lesser amount re-*
12 *fects the unexpended balance of the amount appropri-*
13 *ated for special education programs in Schedule (1)*
14 *of Item 6110-161-0001 of the Budget Act of 2003 (Ch.*
15 *157, Stats. 2003).*
- 16 (52) *\$10,922 or whatever greater or lesser amount reflects*
17 *the unexpended balance of the amount appropriated*
18 *for the School Safety Consolidated Competitive Grant*
19 *in Item 6110-248-0001 of the Budget Act of 2005*
20 *(Chs. 38 and 39, Stats. 2005).*
- 21 (53) *\$10,000 or whatever greater or lesser amount reflects*
22 *the unexpended balance of the amount appropriated*
23 *for the adult education program and regional occupa-*
24 *tional programs pursuant to Article 2 (commencing*
25 *with Section 51120) of Chapter 1.5 of Part 28 of Di-*
26 *vision 4 of Title 2 of the Education Code in Schedule*
27 *(3) of Section 43 of Chapter 79 of the Statutes of 2006.*
- 28 (54) *\$27,500 or whatever greater or lesser amount reflects*
29 *the unexpended balance of the amount appropriated*
30 *for the parental involvement program pursuant to*
31 *Article 2 (commencing with Section 51120) of Chapter*
32 *1.5 of Part 28 of Division 4 of Title 2 of the Education*
33 *Code in Schedule (9) of Section 43 of Chapter 79 of*
34 *the Statutes of 2006.*
- 35 (55) *\$114,395 or whatever greater or lesser amount re-*
36 *fects the unexpended balance of the amount appropri-*
37 *ated for teacher recruitment and retention pursuant*
38 *to Article 2 (commencing with Section 51120) of*
39 *Chapter 1.5 of Part 28 of Division 4 of Title 2 of the*

- 1 *Education Code in Schedule (20) of Section 43 of*
 2 *Chapter 79 of the Statutes of 2006.*
 3 (56) *\$25,725 or whatever greater or lesser amount reflects*
 4 *the unexpended balance of the amount appropriated*
 5 *for start-up school breakfast and summer food pro-*
 6 *gram pursuant to Article 2 (commencing with Section*
 7 *51120) of Chapter 1.5 of Part 28 of Division 4 of Title*
 8 *2 of the Education Code in Schedule (8) of Section 43*
 9 *of Chapter 79 of the Statutes of 2006.*
 10 (57) *\$831,523 or whatever greater or lesser amount re-*
 11 *fects the unexpended balance of the amount appropri-*
 12 *ated for prior year mandate claims made by local*
 13 *education agencies pursuant to Article 2 (commencing*
 14 *with Section 51120) of Chapter 1.5 of Part 28 of Di-*
 15 *vision 4 of Title 2 of the Education Code in Schedule*
 16 *(1) of Section 43 of Chapter 79 of the Statutes of 2006.*
 17 (58) *\$3,115,995 or whatever greater or lesser amount re-*
 18 *fects the unexpended balance of the amount appropri-*
 19 *ated for the High Priority Schools Grant Program in*
 20 *Schedule (1) of Item 6110-123-0001 of the Budget Act*
 21 *of 2006 (Chs. 47 and 48, Stats. 2006).*
 22 (59) *\$247,611 or whatever greater or lesser amount re-*
 23 *fects the unexpended balance of the amount appropri-*
 24 *ated for the Special Education Infant Program in*
 25 *Schedule (1) of Item 6110-161-0001 of the Budget Act*
 26 *of 2006 (Chs. 47 and 48, Stats. 2006).*
 27 (60) *\$730,454 or whatever greater or lesser amount re-*
 28 *fects the unexpended balance of the amount appropri-*
 29 *ated for the Early Education for Individuals with Ex-*
 30 *ceptional Needs in Schedule (2) of Item 6110-161-*
 31 *0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats.*
 32 *2006).*
 33 (61) *\$44,135 or whatever greater or lesser amount reflects*
 34 *the unexpended balance of the amount appropriated*
 35 *for the Agricultural Vocational Education in Item*
 36 *6110-167-0001 of the Budget Act of 2006 (Chs. 47*
 37 *and 48, Stats. 2006).*
 38 (62) *\$29,837 or whatever greater or lesser amount reflects*
 39 *the unexpended balance of the amount appropriated*
 40 *for the California High School Exit Exam Intensive*

- 1 *Intervention Program in Item 6110-204-0001 of the*
2 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).*
3 (63) *\$6,057 or whatever greater or lesser amount reflects*
4 *the unexpended balance of the amount appropriated*
5 *for the School Safety Block Grant in Schedule (1) of*
6 *Item 6110-228-0001 of the Budget Act of 2006 (Chs.*
7 *47 and 48, Stats. 2006).*
8 (64) *\$8,500,000 or whatever greater or lesser amount re-*
9 *fects the unexpended balance of the amount appropri-*
10 *ated for the K-3 Class Size Reduction Program in*
11 *Item 6110-234-0001 of the Budget Act of 2006 (Chs.*
12 *47 and 48, Stats. 2006).*
13 (65) *\$339,439 or whatever greater or lesser amount re-*
14 *fects the unexpended balance of the amount appropri-*
15 *ated for the Pupil Retention Block Grant in Item 6110-*
16 *243-0001 of the Budget Act of 2006 (Chs. 47 and 48,*
17 *Stats. 2006).*
18 (66) *\$98,647 or whatever greater or lesser amount reflects*
19 *the unexpended balance of the amount appropriated*
20 *for the Professional Development Block Grant in Item*
21 *6110-245-0001 of the Budget Act of 2006 (Chs. 47*
22 *and 48, Stats. 2006).*
23 (67) *\$5,130 or whatever greater or lesser amount reflects*
24 *the unexpended balance of the amount appropriated*
25 *for the Arts and Music Block Grant in Item 6110-265-*
26 *0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats.*
27 *2006).*
28 (68) *\$1,941,700 or whatever greater or lesser amount re-*
29 *fects the unexpended balance of the amount appropri-*
30 *ated for the Certificated Staff Mentoring Program in*
31 *Item 6110-267-0001 of the Budget Act of 2006 (Chs.*
32 *47 and 48, Stats. 2006).*
33 (69) *\$12,844 or whatever greater or lesser amount reflects*
34 *the unexpended balance of the amount appropriated*
35 *for the School Safety Block Grant Program pursuant*
36 *to subparagraph (J) of paragraph (2) of subdivision*
37 *(a) of Section 31 of Chapter 73 of the Statutes of 2005.*
38 (70) *\$11,705,886 or whatever greater or lesser amount*
39 *reflects the unexpended balance of the amount appro-*
40 *riated for adult education programs pursuant to*

- 1 *subparagraph (G) of paragraph (2) of subdivision (a)*
 2 *of Section 31 of Chapter 73 of the Statutes of 2005.*
 3 (71) *\$1,217,782 or whatever greater or lesser amount re-*
 4 *fects the unexpended balance of the amount appropri-*
 5 *ated for the Prior Year K–12 Education Mandate*
 6 *Claims in Schedule (10) of Item 6110-485 of the*
 7 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).*
 8 (72) *\$57,239 or whatever greater or lesser amount reflects*
 9 *the unexpended balance of the amount appropriated*
 10 *for the Prior Year K–12 Education Mandate Claims*
 11 *in Schedule (12) of Item 6110-485 of the Budget Act*
 12 *of 2006 (Chs. 47 and 48, Stats. 2006).*
 13 (73) *\$40,000 or whatever greater or lesser amount reflects*
 14 *the unexpended balance of the amount appropriated*
 15 *for the specialized secondary programs in Item 6110-*
 16 *122-0001 of the Budget Act of 2007 (Chs. 171 and*
 17 *172, Stats. 2007).*
 18 (74) *\$658,800 or whatever greater or lesser amount re-*
 19 *fects the unexpended balance of the amount appropri-*
 20 *ated for the High Priority Schools Grant Program in*
 21 *Schedule (1) of Item 6110-123-0001 of the Budget Act*
 22 *of 2007 (Chs. 171 and 172, Stats. 2007).*
 23 (75) *\$40,310 or whatever greater or lesser amount reflects*
 24 *the unexpended balance of the amount appropriated*
 25 *for the Partnership Academies Program in Item 6110-*
 26 *166-0001 of the Budget Act of 2007 (Chs. 171 and*
 27 *172, Stats. 2007).*
 28 (76) *\$145,000 or whatever greater or lesser amount re-*
 29 *fects the unexpended balance of the amount appropri-*
 30 *ated for the National Board Certification Program in*
 31 *Item 6110-195-0001 of the Budget Act of 2007 (Chs.*
 32 *171 and 172, Stats. 2007).*
 33 (77) *\$49,774 or whatever greater or lesser amount reflects*
 34 *the unexpended balance of the amount appropriated*
 35 *for the California High School Exit Exam Intensive*
 36 *Instruction Program in Item 6110-204-0001 of the*
 37 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007).*
 38 (78) *\$41,445 or whatever greater or lesser amount reflects*
 39 *the unexpended balance of the amount appropriated*
 40 *for the Teacher Dismissal Apportionment Program*

- 1 in Item 6110-209-0001 of the Budget Act of 2007
2 (Chs. 171 and 172, Stats. 2007).
- 3 (79) \$1,003,040 or whatever greater or lesser amount re-
4 flects the unexpended balance of the amount appropri-
5 ated for the Pupil Retention Program in Item 6110-
6 243-0001 of the Budget Act of 2007 (Chs. 171 and
7 172, Stats. 2007).
- 8 (80) \$167,158 or whatever greater or lesser amount re-
9 flects the unexpended balance of the amount appropri-
10 ated for the Professional Development Block Grant
11 in Item 6110-245-0001 of the Budget Act of 2007
12 (Chs. 171 and 172, Stats. 2007).
- 13 (81) \$429,880 or whatever greater or lesser amount re-
14 flects the unexpended balance of the amount appropri-
15 ated for the Certificated Staff Mentoring Program in
16 Item 6110-267-0001 of the Budget Act of 2007 (Chs.
17 171 and 172, Stats. 2007).
- 18 (82) \$7,821 or whatever greater or lesser amount reflects
19 the unexpended balance of the amount appropriated
20 for the Home to School Transportation Program in
21 Schedule (14) of Item 6110-485 of the Budget Act of
22 2007 (Chs. 171 and 172, Stats. 2007).
- 23 (83) \$281,207 or whatever greater or lesser amount re-
24 flects the unexpended balance of the amount appropri-
25 ated for the Quality Education Improvement Act in
26 subparagraph (B) of paragraph (1) of subdivision (c)
27 of Section 52055.770 of the Education Code.
- 28 (84) \$52,571,647 or whatever greater or lesser amount
29 reflects the unexpended balance of the amount appro-
30 priated for the Economic Impact Aid Program in Item
31 6110-128-0001 of the Budget Act of 2008 (Chs. 268
32 and 269, Stats. 2008).
- 33 (85) \$499,639 or whatever greater or lesser amount re-
34 flects the unexpended balance of the amount appropri-
35 ated to the California Community Colleges in Sched-
36 ule (15) of Item 6870-101-0001 of the Budget Act of
37 2006 (Chs. 47 and 48, Stats. 2006).
- 38 (86) \$145,359 or whatever greater or lesser amount re-
39 flects the unexpended balance of the amount appropri-
40 ated to the California Community Colleges for nursing

- 1 *faculty recruitment and retention in paragraph (30)*
 2 *of subdivision (a) of Section 43 of Chapter 79 of the*
 3 *Statutes of 2006.*
- 4 (87) *\$229,653 or whatever greater or lesser amount re-*
 5 *flects the unexpended balance of the amount appropri-*
 6 *ated to the California Community Colleges in Sched-*
 7 *ule (18) of Item 6870-101-0001 of the Budget Act of*
 8 *2006 (Chs. 47 and 48, Stats. 2006).*
- 9 (88) *\$40,000 or whatever greater or lesser amount reflects*
 10 *the unexpended balance of the amount appropriated*
 11 *to the California Community Colleges in Schedule*
 12 *(15) of Item 6870-101-0001 of the Budget Act of 2007*
 13 *(Chs. 171 and 172, Stats. 2007).*
- 14 (89) *\$59,931 or whatever greater or lesser amount reflects*
 15 *the unexpended balance of the amount appropriated*
 16 *to the California Community Colleges in Schedule*
 17 *(20) of Item 6870-101-0001 of the Budget Act of 2007*
 18 *(Chs. 171 and 172, Stats. 2007).*
- 19 (90) *\$81,824 or whatever greater or lesser amount reflects*
 20 *the unexpended balance of the amount appropriated*
 21 *to the California Community Colleges in Schedule*
 22 *(23) of Item 6870-101-0001 of the Budget Act of 2007*
 23 *(Chs. 171 and 172, Stats. 2007).*
- 24 (91) *\$404,091 or whatever greater or lesser amount re-*
 25 *fects the unexpended balance of the amount appropri-*
 26 *ated to the California Community Colleges in Sched-*
 27 *ule (18) of Item 6870-101-0001 of the Budget Act of*
 28 *2007 (Chs. 171 and 172, Stats. 2007).*
- 29 (92) *\$817,973 or whatever greater or lesser amount re-*
 30 *fects the unexpended balance of the amount appropri-*
 31 *ated to the California Community Colleges in Sched-*
 32 *ule (6) of Item 6870-101-0001 of the Budget Act of*
 33 *2007 (Chs. 171 and 172, Stats. 2007).*
- 34 (93) *\$8,738,578 or whatever greater or lesser amount re-*
 35 *fects the unexpended balance of the amount appropri-*
 36 *ated for the Prior Year K–12 Education Mandate*
 37 *Claims of subparagraph (A) of paragraph (3) of sub-*
 38 *division (a) of Section 44 of Chapter 79 of the Statutes*
 39 *of 2006.*

Provisions:

- 3. The sum of \$146,651,000 is hereby reappropriated to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the purpose of funding CalWORKs Stage 2 child care. The amount reappropriated pursuant to this provision is for use in the 2008–09 fiscal year.
- 4. The sum of \$164,686,000 is hereby reappropriated to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for the purpose of funding CalWORKs Stage 3 child care. The amount reappropriated pursuant to this provision is for use in the 2008–09 fiscal year.
- 5. *The sum of \$98,733,416 is hereby reappropriated to the State Department of Education for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction for regional occupational centers and programs pursuant to Article 1 (commencing with Section 52300) of Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code.*

SEC. 24. Item 6360-101-0001 of Section 2.00 of the Budget Act of 2008 is amended to read:

6360-101-0001—For local assistance, Commission on Teacher Credentialing (Proposition 98), Program 10, Standards for Preparation and Licensing of Teachers.....	33,671,000
	25,871,000
Schedule:	
(1) 10.20.001-Alternative Certification Program.....	26,510,000
	19,710,000
(2) 10.20.002-California School Paraprofessional Teacher Training Program.....	7,161,000
	6,161,000

- 1 Provisions:
- 2 1. The funds appropriated in Schedule (1) are for school
- 3 districts and county offices of education participating
- 4 in the alternative certification programs established
- 5 pursuant to Article 11 (commencing with Section
- 6 44380) of Chapter 2 of Part 25 of Division 3 of Title
- 7 2 of the Education Code. ~~Of these funds, \$6,800,000~~
- 8 ~~is available to increase intern grants for school districts~~
- 9 ~~and county offices of education that agree to enhance~~
- 10 ~~internship programs and address the distribution of~~
- 11 ~~beginning teachers pursuant to Section 44387 of the~~
- 12 ~~Education Code.~~
- 13 2. The funds appropriated in Schedule (2) are for school
- 14 districts and county offices of education participating
- 15 in the California School Paraprofessional Teacher
- 16 Training Program established pursuant to Article 12
- 17 (commencing with Section 44390) of Chapter 2 of
- 18 Part 25 of Division 3 of Title 2 of the Education Code
- 19 at a per-participant rate of \$3,500.
- 20

21 *SEC. 25. Item 6870-101-0001 of Section 2.00 of the Budget*

22 *Act of 2008 is amended to read:*

23

24 6870-101-0001—For local assistance, Board of Governors

25 of the California Community Colleges (Proposition

26 98)..... 3,989,230,000

27 3,879,557,000

28 Schedule:

29 (1) 10.10.010-Apportionments.....	3,170,717,000
30	3,160,717,000
31 (2) 10.10.020-Apprenticeship.....	14,641,000
32	11,680,000
33 (3) 10.10.030-Growth for Apportion-	
34 ments.....	113,500,000
35	99,727,000
36 (4) 20.10.004-Student Success for Basic	
37 Skills Students.....	33,100,000
38 (5) 20.10.005-Student Financial Aid Admin-	
39 istration.....	51,269,000
40 (6) 20.10.020-Disabled Students.....	115,011,000

1	(7) 20.10.045-Special Services for Cal-	
2	WORKS Recipients.....	43,580,000
3	(8) 20.10.060-Foster Care Education Pro-	
4	gram.....	5,254,000
5		4,191,000
6	(9) 20.10.070-Matriculation.....	101,803,000
7	(10) 20.20.020-Academic Senate for the	
8	Community Colleges.....	467,000
9		373,000
10	(11) 20.20.041-Equal Employment Opportu-	
11	nity pursuant to Ch. 1169, Stats.	
12	2002.....	1,747,000
13		1,394,000
14	(12) 20.20.050-Part-time Faculty Health In-	
15	surance.....	1,000,000
16		798,000
17	(13) 20.20.051-Part-time Faculty Compensa-	
18	tion.....	50,828,000
19		40,547,000
20	(14) 20.20.055-Part-time Faculty Office	
21	Hours.....	7,172,000
22		5,721,000
23	(15) 20.30.011-Telecommunications and	
24	Technology Services.....	26,197,000
25		20,898,000
26	(16) 20.30.050-Economic Development....	46,790,000
27		37,326,000
28	(17) 20.30.070-Transfer Education and Ar-	
29	ticulation.....	1,424,000
30		1,136,000
31	(18) 20.40.026-Physical Plant and Instruc-	
32	tional Support.....	27,345,000
33		0
34	(19) 20.10.010-Extended Opportunity Pro-	
35	grams and Services and Special Ser-	
36	vices.....	122,291,000
37	(20) 20.30.045-Fund for Student Success....	6,158,000
38		4,912,000

1	(21) 20.70.010-Career Technical Educa-	
2	tion.....	20,000,000
3		0
4	(22) 20.80.010-Campus Childcare Tax	
5	Bailout.....	6,836,000
6		5,453,000
7	(23) 20.95.010-Nursing Program Support....	22,100,000
8		17,630,000

- 9 Provisions:
- 10 1. The funds appropriated in Schedules (1), (2), (3), (4),
 11 (5), (6), (7), (8), (9), (11), (12), (13), (14), (15), (16),
 12 (18), (19), and (22) are for transfer by the Controller
 13 during the 2008–09 fiscal year to Section B of the
 14 State School Fund.
 - 15 2. Notwithstanding any other provision of law, apportion-
 16 ment funding for community college districts shall be
 17 based on the greater of the current year or prior year
 18 level of full-time equivalent students (FTES), consis-
 19 tent with K–12 declining enrollment practices pursuant
 20 to Section 42238.5 of the Education Code. Decreases
 21 in FTES shall result in a revenue reduction at the dis-
 22 trict’s average level of apportionment funding per
 23 FTES and shall be made in the year following the ini-
 24 tial year of decrease in FTES.
 - 25 3. The funds appropriated in Schedule (1) for Apportion-
 26 ments include ~~\$31,409,000~~ \$25,056,000 to encourage
 27 district-level accountability efforts pursuant to Section
 28 84754.5 of the Education Code. It is intended that the
 29 Chancellor of the California Community Colleges
 30 submit an annual report on district-specific account-
 31 ability measures by March 19 of each year. This report
 32 shall reflect outcomes from the most recently complet-
 33 ed fiscal year for which data is available pursuant to
 34 Section 84754.5 of the Education Code.
 - 35 4. Of the funds appropriated in Schedule (1), Apportion-
 36 ments:
 - 37 (a) Up to \$100,000 is for a maintenance allowance,
 38 pursuant to Section 54200 of Title 5 of the Cali-
 39 fornia Code of Regulations.

- 1 (b) Up to \$500,000 is to reimburse colleges for the
2 costs of federal aid repayments related to assessed
3 fees for fee waiver recipients. This reimbursement
4 only applies to students who completely withdraw
5 from college before the census date pursuant to
6 Section 58508 of Title 5 of the California Code
7 of Regulations.
- 8 5. Notwithstanding any other provision of law, the
9 Chancellor of the California Community Colleges
10 shall not reduce district workload obligations for a
11 lack of a funded cost-of-living adjustment.
- 12 6. (a) Of the amount appropriated in Schedule (2) for
13 the Apprenticeship Program, up to ~~\$14,641,000~~
14 *\$11,680,000* shall be available as necessary upon
15 certification by the Chancellor of the California
16 Community Colleges for the purpose of funding
17 community college-related and supplemental in-
18 struction pursuant to Section 3074 of the Labor
19 Code, as provided in Section 8152 of the Educa-
20 tion Code. No community college district shall
21 use funds available under this provision to offer
22 any new apprenticeship training program or the
23 expansion of any existing program unless the new
24 program or expansion has been approved by the
25 chancellor.
- 26 (b) Notwithstanding Section 8152 of the Education
27 Code, each 60-minute hour of teaching time de-
28 voted to each indentured apprentice enrolled in
29 and attending classes of related and supplemental
30 instruction as provided under Section 3074 of the
31 Labor Code shall be reimbursed at the rate of
32 \$5.06 per hour. For purposes of this provision,
33 each hour of teaching time may include up to 10
34 minutes for passing time and breaks.
- 35 7. Funds appropriated in Schedule (3), Growth for Ap-
36 portionments, shall be available first to any districts
37 bringing online in the current fiscal year newly accred-
38 ited colleges or California Postsecondary Education
39 Commission-approved educational centers. It is the
40 intent of the Legislature that increases in basic founda-

1 tion allocations to each college be funded prior to ad-
 2 ditional growth in full-time equivalent students. The
 3 Chancellor of the California Community Colleges
 4 shall provide a report by November 1 of each year, to
 5 the Department of Finance and the Legislative Analyst,
 6 on the number of new centers and colleges added for
 7 the current fiscal year and those anticipated to be added
 8 for the prospective budget year. This report shall also
 9 detail the specific funding adjustments provided for
 10 basic foundation allocations to each college and center
 11 for the current fiscal year.

12 8. Notwithstanding any other provision of law, funds
 13 appropriated in Schedule (3) for Growth for Apportion-
 14 ments shall only be allocated for growth in full-time
 15 equivalent students (FTES), on a district-by-district
 16 basis, as determined by the Chancellor of the Califor-
 17 nia Community Colleges. The chancellor shall not in-
 18 clude any FTES from concurrent enrollment in physi-
 19 cal education, dance, recreation, study skills, and per-
 20 sonal development courses and other courses in con-
 21 flict with existing law for the purpose of calculating
 22 a district’s three-year overcap adjustment. The Board
 23 of Governors of the California Community Colleges
 24 shall implement the criteria required by subdivision
 25 (a) of Provision 5 of Item 6870-101-0001 of the Bud-
 26 get Act of 2003 (Ch. 157, Stats. 2003) for the alloca-
 27 tion of funds appropriated in Schedules (1) and (3),
 28 so as to ensure that courses related to student needs
 29 for transfer, basic skills, and vocational/workforce
 30 training are accorded the highest priority and are pro-
 31 vided to the maximum extent possible within budgeted
 32 funds.

33 ~~10. Of the amount appropriated in Schedule (1),~~
 34 ~~\$10,000,000 shall only be available for noncredit in-~~
 35 ~~struction to prepare pupils to pass the California High~~
 36 ~~School Exit Examination (CAHSEE). The first priority~~
 37 ~~shall be to serve high school pupils from the class of~~
 38 ~~2007 who met all other graduation requirements except~~
 39 ~~for passage of the CAHSEE. Remaining funds may~~
 40 ~~be used to support other necessary noncredit courses~~

1 for other pupils who not only did not pass the CAH-
2 SEE, but who did not complete other coursework
3 necessary to meet high school graduation requirements.
4 These funds are intended to supplement but not sup-
5 plant existing funding for these purposes.

6 11. The funds appropriated in Schedule (4), Student Suc-
7 cess for Basic Skills Students, shall be allocated as
8 follows:

- 9 (a) \$1,600,000 for faculty and staff development to
10 improve curriculum, instruction, student services,
11 and program practices in the areas of basic skills
12 and English as a Second Language (ESL) pro-
13 grams. The Office of the Chancellor of the Cali-
14 fornia Community Colleges shall select a district,
15 utilizing a competitive process, to carry out these
16 faculty and staff development activities. All col-
17 leges receiving funds pursuant to subdivision (b)
18 shall be provided with the opportunity to partici-
19 pate in the faculty and staff development programs
20 specified in this subdivision. The chancellor shall
21 report on the use of these funds by the selected
22 district to the Legislative Analyst and the Depart-
23 ment of Finance not later than September 1, 2009.
- 24 (b) \$31,500,000 for allocation by the chancellor to
25 community college districts for improving out-
26 comes of students who enter college needing at
27 least one course in ESL or basic skills, with par-
28 ticular emphasis on students transitioning from
29 high school.
- 30 (c) Funding specified in subdivisions (a) and (b) shall
31 be distributed to eligible applicants pursuant to
32 Chapter 489 of the Statutes of 2007.
- 33 (d) The Office of the Chancellor shall work jointly
34 with the Department of Finance and the Legisla-
35 tive Analyst to develop annual accountability
36 measures for this program. It is the intent of the
37 Legislature that annual performance accountabil-
38 ity measures for this program utilize, to the extent
39 possible, data available as part of the accountabil-
40 ity system developed pursuant to Section 84754.5

1 of the Education Code. By November 1, 2009,
 2 the chancellor shall submit a report to the Govern-
 3 nor and Legislature on the annual accountability
 4 measures developed pursuant to this process.

5 12. (a) Of the funds appropriated in Schedule (5) for
 6 Student Financial Aid Administration, not less
 7 than \$9,864,000 is available to provide \$0.91 per
 8 unit reimbursement to community college districts
 9 for the provision of board of governors (BOG)
 10 fee waiver awards pursuant to paragraph (2) of
 11 subdivision (m) of Section 76300 of the Education
 12 Code.

13 (b) Of the funds appropriated in Schedule (5), not
 14 less than \$4,405,000 is available to provide reim-
 15 bursement of 2 percent of total waiver value to
 16 community college districts for the provision of
 17 BOG fee waiver awards pursuant to paragraph
 18 (2) of subdivision (m) of Section 76300 of the
 19 Education Code.

20 (c) Funding provided to community college districts
 21 in subdivisions (a) and (b) of Provision 15 is
 22 provided to directly offset any mandated costs
 23 claimed by community college districts pursuant
 24 to Commission on State Mandates Test Claims
 25 99-TC-13 (Enrollment Fee Collection) and 00-
 26 TC-15 (Enrollment Fee Waivers).

27 (d) (1) Of the amount appropriated in Schedule (5),
 28 \$2,800,000 shall be for a contract with a
 29 community college district to conduct a
 30 statewide media campaign to promote the
 31 general message to prospective students as
 32 follows: (A) the California Community Col-
 33 leges (CCC) remain affordable, (B) financial
 34 aid and tax credits are available to cover en-
 35 rollment fees and help with books and other
 36 costs, and (C) the active encouragement of
 37 contact between pupils and local CCC finan-
 38 cial aid offices. Any funds used from this
 39 source to produce radio, television, or mail
 40 campaigns must emphasize the availability

1 of financial aid, the easiest and most reliable
2 method of accessing the aid, a contact tele-
3 phone number, an Internet Web site address,
4 where applicable, and the physical location
5 of a financial aid office. Any mail campaign
6 must give priority to existing pupils, recent
7 high school graduates, and 12th graders. The
8 outreach and information campaign should
9 target its efforts in high schools, welfare of-
10 fices, unemployment offices, churches,
11 community centers, and any other location
12 that will most effectively reach low-income
13 and disadvantaged students who must over-
14 come barriers in accessing postsecondary
15 education. The community college district
16 awarded the contract shall consult with the
17 Chancellor of the California Community
18 Colleges and the Student Aid Commission
19 prior to performing any activities to ensure
20 appropriate coordination with any other state
21 efforts in this area and ensure compliance
22 with this provision.

- 23 (2) Of the amount appropriated in Schedule (5),
24 not more than \$34,200,000 shall be for direct
25 contact with potential and current financial
26 aid applicants. Each CCC campus shall re-
27 ceive a minimum allocation of \$50,000. The
28 remainder of the funding shall be allocated
29 to campuses based upon a formula reflecting
30 full-time equivalent students (FTES)
31 weighted by a measure of low-income popu-
32 lations as demonstrated by BOG fee waiver
33 program participation within a district. It is
34 the intent of the Legislature, to the extent that
35 funds are provided in this item, that all cam-
36 puses provide additional staff resources to
37 increase both financial aid participation and
38 student access to low-income and disadvan-
39 tagged students who must overcome barriers
40 in accessing postsecondary education. Funds

1 may be used for screening current students
2 for possible financial aid eligibility and offer-
3 ing personal assistance to these students in
4 accessing financial aid, providing individual
5 help in multiple languages for families and
6 students in filling out the necessary paper-
7 work to apply for financial aid, and increas-
8 ing financial aid staff to process additional
9 financial aid forms.

10 (3) Funds allocated to a community college dis-
11 trict for financial aid personnel, outreach de-
12 termination of financial need, and delivery
13 of student financial aid services shall supple-
14 ment, and shall not supplant, the level of
15 funds allocated for the administration of stu-
16 dent financial aid programs during the
17 2001–02 fiscal year.

18 (4) It is the intent of the Legislature that the Of-
19 fice of the Chancellor of the California
20 Community Colleges provide the Legislature
21 with a report not later than April 1, 2009, on
22 the use of the funds allocated pursuant to
23 paragraphs (1) and (2) of this subdivision (d),
24 including the distribution of the funds, specif-
25 ic uses of the funds, strategies employed to
26 reach low-income and disadvantaged students
27 potentially eligible for financial aid, and the
28 extent to which districts were successful in
29 increasing the number of students accessing
30 financial aid, particularly the maximum Pell
31 Grant award.

32 (5) It is the intent of the Legislature that the
33 chancellor report by September 1, 2008, in
34 the manner and using the factors set forth in
35 paragraph (5) of subdivision (b) of Provision
36 11 of Item 6870-101-0001 of Section 2.00 of
37 the Budget Act of 2004 (Ch. 208, Stats.
38 2004), on the impact of outreach efforts on
39 student headcount and FTES enrollment for
40 the 2005–06 and 2006–07 academic years.

- 1 13. Of the funds appropriated in Schedule (19) for Extend-
2 ed Opportunity Programs and Services, \$106,786,000
3 is for Extended Opportunity Programs and Services
4 (EOPS) in accordance with Article 8 (commencing
5 with Section 69640) of Chapter 2 of Part 42 of Divi-
6 sion 5 of Title 3 of the Education Code. Funds provid-
7 ed in this item for EOPS shall be available to students
8 on all campuses within the California Community
9 College system, including those students on new
10 campuses or in new districts. In addition, \$15,505,000
11 is for funding, at all colleges, the Cooperative Agen-
12 cies Resources for Education (CARE) program in ac-
13 cordance with Article 4 (commencing with Section
14 79150) of Chapter 9 of Part 48 of Division 7 of Title
15 3 of the Education Code. The Board of Governors of
16 the California Community Colleges shall allocate
17 funds on a priority basis to local programs on the basis
18 of need for student services.
- 19 14. Of the funds appropriated in Schedule (19) for the
20 Extended Opportunity Programs and Services,
21 \$1,900,000 shall be available to support additional
22 textbook assistance grants to community college stu-
23 dents as an allowable expenditure consistent with
24 paragraph (10) of subdivision (b) of Section 69648 of
25 the Education Code.
- 26 15. The funds appropriated in Schedule (20) for the Fund
27 for Student Success is for additional targeted student
28 services, to be expended as follows:
 - 29 (a) ~~\$1,921,000~~ *\$1,532,000* is for the Puente Project
30 to support up to 75 colleges. These funds are
31 available if matched by \$200,000 of private funds
32 and the participating community colleges and
33 University of California campuses maintain their
34 1995–96 fiscal year support level for the Puente
35 Project. All funding shall be allocated directly to
36 participating districts in accordance with their
37 participation agreement.
 - 38 (b) Up to ~~\$2,459,000~~ *\$1,962,000* is for the Mathemat-
39 ics, Engineering and Science Achievement
40 (MESA) Program. For each dollar allocated, the

- 1 recipient district shall provide \$1 in matching
- 2 funds.
- 3 (c) No less than ~~\$1,778,000~~ *\$1,418,000* is for the
- 4 Middle College High School Program. With the
- 5 exception of fully compliant special part-time
- 6 students at the community colleges pursuant to
- 7 Sections 48802 and 76001 of the Education Code,
- 8 student workload based on participation in the
- 9 Middle College High School Program shall not
- 10 be eligible for community college state apportion-
- 11 ment. Further, no community college state appor-
- 12 tionment shall be made available for physical ed-
- 13 ucation classes, noncredit classes, nor other
- 14 courses specified in Provision 8.
- 15 16. (a) The funds appropriated in Schedule (6) for the
- 16 Disabled Students Program are for assisting dis-
- 17 tricts in funding the excess direct instructional
- 18 cost of providing special support services or in-
- 19 struction, or both, to disabled students enrolled at
- 20 community colleges, and for state hospital pro-
- 21 grams, as mandated by federal law.
- 22 (b) Of the amount appropriated in Schedule (6), no
- 23 less than \$3,945,000 shall be used to address de-
- 24 ficiencies identified by the federal Office of Civil
- 25 Rights (OCR), as determined by the Office of the
- 26 Chancellor of the California Community Colleges.
- 27 (c) Of the amount appropriated in Schedule (6), at
- 28 least \$943,000 shall be used for support of the
- 29 High Tech Centers for activities including, but
- 30 not limited to, training of district employees, staff,
- 31 and students in the use of specialized computer
- 32 equipment for the disabled. All High Tech Centers
- 33 shall meet standards developed by the Office of
- 34 the Chancellor. Colleges that receive these aug-
- 35 mentations shall not supplant existing resources
- 36 provided to the centers.
- 37 (d) Notwithstanding any other provision of law, of
- 38 the funds appropriated in Schedule (6), \$1,246,000
- 39 shall be for state hospital adult education pro-
- 40 grams at the hospitals served by the Coast and

1 Kern Community College Districts since the
2 1986–87 fiscal year. If adult education services
3 at any of the three hospitals are not supported by
4 the community colleges in any portion of the
5 2008–09 fiscal year, remaining funds shall, upon
6 order of the Department of Finance, after 30 days’
7 notice to the Chairperson of the Joint Legislative
8 Budget Committee, be transferred to the State
9 Department of Developmental Services (DDS).
10 For any transfer of funds to DDS during the
11 2008–09 fiscal year, the Proposition 98 base
12 funding levels for community colleges and DDS
13 shall be adjusted accordingly.

14 (e) Of the funds appropriated in Schedule (6) for the
15 Disabled Student Services, no less than
16 \$9,600,000 shall be allocated to support high-cost
17 sign language interpreter services and real-time
18 captioning equipment or other communication
19 accommodations for hearing-impaired students
20 based on a 4-to-1 state-to-local district match.

21 17. The funds appropriated in Schedule (7), Special Ser-
22 vices for CalWORKs Recipients, are for the purpose
23 of assisting welfare recipient students and those in
24 transition off of welfare to achieve long-term self-
25 sufficiency through coordinated student services of-
26 fered at community colleges, including workstudy,
27 other educational related work experience, job place-
28 ment services, child care services, and coordination
29 with county welfare offices to determine eligibility
30 and availability of services. All services funded in
31 Schedule (7) shall be for current CalWORKs recipients
32 or prior CalWORKs recipients who are in transition
33 off of cash assistance for no more than two years.
34 Current cash-assistance recipients may utilize these
35 services until their initial educational objectives are
36 met. Former recipients in transition off of cash assis-
37 tance may utilize these services for a period of up to
38 two years after leaving cash assistance subject to the
39 conditions of this provision. These funds shall be used
40 to supplement and not supplant existing funds and

1 services provided for CalWORKs recipients attending
 2 community colleges. The Chancellor of the California
 3 Community Colleges shall develop an equitable
 4 method for allocating funds to all districts and colleges
 5 based on the relative numbers of CalWORKs recipients
 6 in attendance and shall allocate funds for the following
 7 purposes:

- 8 (a) Job placement.
- 9 (b) Coordination with county welfare offices and
 10 other local agencies, including local workforce
 11 investment boards.
- 12 (c) Curriculum development and redesign.
- 13 (d) Child care and workstudy.
- 14 (e) Instruction.
- 15 (f) Postemployment skills training and related skills.
- 16 (g) Campus-based case management, limited to on-
 17 campus assistance and services not provided by
 18 county case workers that do not supplant other
 19 counseling and academic support services funded
 20 through existing California Community Colleges
 21 categorical programs.

22 Of the amount appropriated in Schedule (7),
 23 \$15,000,000 is for child care and does not require a
 24 district match. For the remaining funds, districts shall,
 25 as a condition of receipt of these funds, provide a \$1
 26 match for every \$1 provided by the state.

27 Funds utilized for subsidized child care shall be for
 28 children of CalWORKs recipients through campus-
 29 based centers or parental choice vouchers at rates and
 30 with rules consistent with those applied to related
 31 programs operated by the State Department of Educa-
 32 tion in the 2008–09 fiscal year, including eligibility,
 33 reimbursement rates, and parental contribution
 34 schedules. Subsidized campus child care for Cal-
 35 WORKs recipients may be provided during the period
 36 they are engaged in qualifying state and federal work
 37 activities through attainment of their initial education
 38 and training plan and for up to three months thereafter
 39 or until the end of the academic year, whichever period
 40 of time is greater.

1 Funds utilized for workstudy shall be used solely
2 for payments to employers that currently participate
3 in campus-based workstudy programs or are providing
4 work experiences that are directly related to and in
5 furtherance of student educational programs and work
6 participation requirements, provided that those pay-
7 ments may not exceed 75 percent of the wage for the
8 workstudy positions, and the employers shall pay at
9 least 25 percent of the wage for the workstudy posi-
10 tions. These funds may be expended only if the total
11 hours of education, employment, and workstudy for
12 the student are sufficient to meet both state and federal
13 minimum requirements for qualifying work-related
14 activities.

15 Funds may be used to provide credit or noncredit
16 classes for CalWORKs students if a district has com-
17 mitted all of its funded full-time equivalent students
18 (FTES) and is unable to offer the additional instruc-
19 tional services to meet the demand for CalWORKs
20 students. This determination shall be based on fall
21 enrollment information. Districts shall submit applica-
22 tions to the Office of the Chancellor by October 15 of
23 each year. If the chancellor approves the use of funds
24 for direct instructional workload, the Office of the
25 Chancellor shall submit a report to the Department of
26 Finance and the Joint Legislative Budget Committee
27 by November 15, 2008, that (a) identifies the enroll-
28 ment of new CalWORKs students, (b) states whether
29 and why additional classes were needed to accommo-
30 date the needs of CalWORKs students, and (c) sets
31 forth an expenditure plan for the balance of funds.

32 As a condition of receipt of the funds appropriated
33 in Schedule (7), by the fourth week following the end
34 of the semester or quarter term commencing in January
35 2009, each participating community college shall
36 submit to the Office of the Chancellor a report, in the
37 format specified by the chancellor in consultation with
38 the State Department of Social Services, that includes,
39 but is not limited to, the funded components, the
40 number of hours of child care provided, the average

1 monthly enrollment of CalWORKs dependents served
 2 in child care, the number of workstudy hours provided,
 3 the hourly salaries and type of jobs, the number of
 4 students being case managed, the short-term programs
 5 available, the student participation rates, and other
 6 outcome data. It is intended that, to the extent practical,
 7 reporting from colleges utilize data gathered for federal
 8 reporting requirements at the state and local level.
 9 Further, it is intended that the Office of the Chancellor
 10 compile the information for annual reports to the
 11 Legislature, the Governor, the Legislative Analyst, the
 12 Department of Finance, and the State Department of
 13 Social Services by November 15 of each year.

14 First priority for expenditures of any funds appropri-
 15 ated in Schedule (7) shall be in support of current
 16 CalWORKs recipients. However, if caseloads are in-
 17 sufficient to fully utilize all of the funding in this
 18 schedule in a cost-beneficial way, it is intended that
 19 up to \$5,000,000 of the funds subject to local matching
 20 requirements may be allocated for providing postem-
 21 ployment services to former CalWORKs recipients
 22 who have been off of cash assistance for no longer
 23 than two years to assist them in upgrading skills, job
 24 retention, and advancement. Allowable services in-
 25 clude direct instruction that cannot be funded under
 26 available growth funding, child care to support atten-
 27 dance in these classes consistent with this provision,
 28 job development and placement services, and career
 29 counseling and assessment activities which cannot be
 30 funded through other programs. Child care services
 31 may only be provided for periods commensurate with
 32 a student's need for postemployment training within
 33 the two-year transitional period.

34 Prior to allocation of funds for postemployment
 35 services, the chancellor shall first secure the approval
 36 of the Department of Finance for the allocations,
 37 complete a cumulative report on the outcomes, activi-
 38 ties, and cost-effectiveness of the program no later
 39 than November 15, 2008, in compliance with the
 40 Budget Acts of 1998 (Ch. 324, Stats. 1998) and 1999

1 (Ch. 50, Stats. 1999) and this act, and shall provide
 2 the rationale and justification for the proposed alloca-
 3 tion of postemployment services to districts for transi-
 4 tional students.

5 If a district is unable to fully expend its share of child
 6 care funds, it may request that the Office of the
 7 Chancellor approve a reallocation to other CalWORKs
 8 purposes authorized by this provision, subject to all
 9 pertinent limitations and district match required for
 10 these purposes under this provision.

11 Of the funds appropriated in Schedule (7) for the
 12 Special Services for CalWORKs Recipients Program,
 13 no less than \$8,000,000 is to provide direct workstudy
 14 wage reimbursement for students served under this
 15 program, and \$1,000,000 is available for campus job
 16 development and placement services.

17 18. Funds appropriated in Schedule (7) for the Special
 18 Services for CalWORKs Recipients Program have
 19 been budgeted to meet the state’s Temporary Assis-
 20 tance for Needy Families maintenance-of-effort require-
 21 ment pursuant to the federal Personal Responsibility
 22 and Work Opportunity Reconciliation Act of 1996
 23 (P.L. 104-193) and may not be expended in any way
 24 that would cause their disqualification as a federally
 25 allowable maintenance-of-effort expenditure.

26 19. (a) Funds provided in Schedule (8) for the Foster
 27 Care Education Program shall be allocated to
 28 provide foster and relative/kinship care education
 29 and training. Districts shall ensure that education
 30 and training required by Sections 1529.1 and
 31 1529.2 of the Health and Safety Code and Section
 32 16003 of the Welfare and Institutions Code re-
 33 ceive priority. Districts may use any remaining
 34 funds for additional parenting skills training.

35 (b) Funds provided in Schedule (8) shall be used for
 36 foster parent and relative/kinship care provider
 37 education training services consistent with the
 38 following criteria:

39 (1) The Chancellor of the California Community
 40 Colleges shall use these funds exclusively

1 for foster parent and relative/kinship care
 2 provider education and training, as specified
 3 by the chancellor in consultation with an ad-
 4 visory committee that includes foster parents,
 5 representatives of statewide foster parent or-
 6 ganizations, parent and relative/kinship care
 7 providers, and representatives from the State
 8 Department of Social Services.

9 (2) Acceptance of funds under this program shall
 10 constitute agreement by the district to comply
 11 with such reporting requirements, guidelines,
 12 and other conditions for receipt of funding
 13 as the chancellor may establish.

14 (3) Each college plan for foster and relative/kin-
 15 ship care education programs shall include
 16 the provision of training to facilitate the de-
 17 velopment of foster family homes, small
 18 family homes, and relative/kinship homes to
 19 care for no more than six children who have
 20 special mental, emotional, developmental, or
 21 physical needs.

22 (4) The State Department of Social Services shall
 23 facilitate the participation of county welfare
 24 departments in the foster and relative/kinship
 25 care education program.

26 20. (a) Funds appropriated in Schedule (9) for the Matric-
 27 ulation Program are for the purpose of student
 28 matriculation pursuant to Article 1 (commencing
 29 with Section 78210) of Chapter 2 of Part 48 of
 30 Division 7 of Title 3 of the Education Code.

31 (b) Of the amount appropriated in Schedule (9),
 32 \$20,000,000 shall be allocated to community
 33 college districts on a one-to-one matching funds
 34 basis to provide matriculation services, including,
 35 but not limited to, orientation, assessment, and
 36 counseling, for students enrolled in designated
 37 noncredit classes and programs who may benefit
 38 most, as determined by the Chancellor of the
 39 California Community Colleges pursuant to Sec-

1 tions 78216 to 78218, inclusive, of the Education
2 Code.

3 21. The funds in Schedule (13) for the Part-time Faculty
4 Compensation Program shall be allocated solely to
5 increase compensation for part-time faculty from the
6 amounts previously authorized. Funds shall be distribut-
7 ed to districts based on the total actual full-time
8 equivalent students served in the previous fiscal year
9 and include a small district factor as determined by
10 the Chancellor of the California Community Colleges.
11 These funds are to be used to assist districts in making
12 part-time faculty salaries more comparable to full-time
13 salaries for similar work, as determined through each
14 district's local collective bargaining process. These
15 funds shall not supplant the amount of resources each
16 district used to compensate part-time faculty or be
17 used to exceed parity of each part-time faculty em-
18 ployed by each district with regular full-time faculty
19 at the same district, as certified by the chancellor. If
20 a district achieves parity, its allocation may be used
21 for any other educational purpose.

22 22. (a) ~~\$24,197,000~~-\$19,303,000 of the funds provided
23 in Schedule (15) for the Telecommunications and
24 Technology Services Program shall be for the
25 purpose of supporting technical and application
26 innovations and for coordination of activities that
27 serve to maximize the utility of the technology
28 investments of the community college system to-
29 wards improving learning outcomes. Allocations
30 shall be made by the Chancellor of the California
31 Community Colleges, based on criteria and
32 guidelines as developed by the chancellor, on a
33 competitive basis through the RFA/RFP applica-
34 tion process for the following purposes:

- 35 (1) Provision of access to statewide multimedia
36 hosting and delivery services for system col-
37 leges and districts.
- 38 (2) Provision of systemwide Internet, audio
39 bridging, and telephony.

- 1 (3) Technical assistance and planning, coopera-
- 2 tive purchase agreements, and faculty and
- 3 staff development in a manner consistent with
- 4 paragraph (3) of subdivision (b) of Provision
- 5 17 of Item 6870-101-0001 of Section 2.00 of
- 6 the Budget Act of 1996 (Ch. 162, Stats.
- 7 1996).
- 8 (4) Ongoing support for the California Virtual
- 9 University Distance Education Program.
- 10 (5) Ongoing support for programs designed to
- 11 use technology in assisting accreditation and
- 12 the alignment of curricula across K–20 seg-
- 13 ments in California.
- 14 (6) Support for technology pilots and ongoing
- 15 technology programs and applications that
- 16 serve to maximize the utility and economy
- 17 of scale of the technology investments of the
- 18 community college system towards improv-
- 19 ing learning outcomes.

20 In addition, a portion of the funds provided in
 21 this subdivision shall be available for allocations
 22 to districts. It is the intent of the Legislature that
 23 these funds be used by colleges to maintain the
 24 technology capabilities specified in subdivision
 25 (a) of Provision 21 of Item 6870-101-0001 of the
 26 Budget Act of 2003 (Ch. 157, Stats. 2003). These
 27 funds shall not supplant existing funds used for
 28 those purposes, and colleges shall match mainte-
 29 nance and ongoing costs with other funds as pro-
 30 vided by Provision 21(a) of Item 6870-101-0001
 31 of the Budget Act of 2003 (Ch. 157, Stats. 2003).

- 32 (b) The Office of the Chancellor of the California
- 33 Community Colleges shall develop the reporting
- 34 criteria for all programs funded by this item and
- 35 shall submit that for review along with an annual
- 36 progress report on program implementation to the
- 37 Legislative Analyst, the Office of the Secretary
- 38 for Education, and the Department of Finance no
- 39 later than December 1 of each year. Reporting
- 40 shall include summaries of allocations and expen-

- 1 ditures by program and by district, where applica-
2 ble.
- 3 (c) Of the funds provided in Schedule (15),
4 ~~\$2,000,000~~ *\$1,596,000* is for ongoing support and
5 expansion of the California Partnership for
6 Achieving Student Success (Cal-PASS) program.
7 As a condition of receipt of these funds, the
8 grantee shall submit to the Office of the Chancel-
9 lor, by October 15 of each year, all of the follow-
10 ing: (1) a report that includes the numbers and
11 percentages of institutions and school districts
12 that have signed agreements and the number and
13 percentage that have actively submitted data in
14 the current year, (2) the results of an annual pro-
15 gram evaluation, as prescribed by the chancellor,
16 that sufficiently documents the value and produc-
17 tivity of the program, and (3) an annual financial
18 audit, as prescribed by the chancellor, that in-
19 cludes an accounting of all funding sources and
20 all uses of funds by funding source. It is the intent
21 of the Legislature that all reporting requirements
22 contained in this subdivision shall be completed
23 using funds provided to the grantee.
- 24 23. Of the funds provided in Schedule (16) for the Eco-
25 nomic and Workforce Development Program:
- 26 (a) ~~\$22,830,000~~ *\$18,212,000* is allocated for grants
27 for regional business resources assistance and in-
28 novation network centers. Each grant awarded to
29 a district for Centers for International Develop-
30 ment shall contain sufficient funds, as determined
31 by the Chancellor of the California Community
32 Colleges, for the continued operation of Mexican
33 International Trade Centers.
- 34 (b) ~~\$7,822,000~~ *\$6,240,000* is allocated for industry-
35 driven regional education and training collabora-
36 tives. These grants shall be made on a competitive
37 basis and the award amounts shall not be restricted
38 to any predetermined limit, but rather shall be
39 funded on their individual merits.

- 1 (c) ~~\$3,609,000~~ \$2,879,000 is allocated for statewide
- 2 network leadership, organizational development,
- 3 coordination, information and support services,
- 4 or other program purposes.
- 5 (d) ~~\$4,529,000~~ \$3,613,000 is available for Job Devel-
- 6 opment Incentive Training programs focused on
- 7 job creation for public assistance recipients. Any
- 8 annual savings from this subdivision shall only
- 9 be available for expenditure for one-time activities
- 10 listed under subdivision (j) of Section 88531 of
- 11 the Education Code.
- 12 (e) ~~\$8,000,000~~ \$6,382,000 is allocated for the estab-
- 13 lishment of a Responsive Incumbent Worker
- 14 Training Fund, which will serve to expand the
- 15 delivery of performance improvement training to
- 16 employers and incumbent workers in high-growth
- 17 industries. Funds shall also be used to develop
- 18 programs that integrate basic skills and career
- 19 technical education curriculum in ways that pro-
- 20 vide students with seamless educational course-
- 21 work that transitions students into high-tech and
- 22 high-demand job sectors.
- 23 (f) The following provisions apply to the expenditure
- 24 of funds within subdivisions (a) and (b): Funds
- 25 allocated for centers and regional collaboratives
- 26 shall seek to maximize the use of state funds for
- 27 subdivisions (g) to (j), inclusive, of Section 88531
- 28 of the Education Code. Funds allocated to districts
- 29 for purposes of subdivisions (g) and (i) of Section
- 30 88531 of the Education Code for performance-
- 31 based training and student internships shall be
- 32 matched by a minimum of \$1 of private business
- 33 and industry funding for each \$1 of state funds.
- 34 Funds allocated for purposes of subdivision (h)
- 35 of Section 88531 of the Education Code for
- 36 credit and noncredit instruction may be transferred
- 37 to Schedule (1) or (3) to facilitate distribution at
- 38 the chancellor's discretion. Any funds that become
- 39 available from network centers due to savings,
- 40 discontinuance, or reduction of amounts shall first

1 be made available for additional allocations in
2 subdivision (b) to increase the level of subsidized
3 training otherwise available.

4 (g) Funds allocated by the Board of Governors of the
5 California Community Colleges under this provi-
6 sion may not be used by community college dis-
7 tricts to supplant existing courses or contract edu-
8 cation offerings. The chancellor shall ensure that
9 funds are spent only for expanded services and
10 shall implement accountability reporting for dis-
11 tricts receiving these funds to ensure that training,
12 credit, and noncredit programs remain relevant
13 to business needs. Programs that do not demon-
14 strate continued relevance and support by business
15 shall not be eligible for continued funding. The
16 board of governors shall consider the level of in-
17 volvement and financial commitments of business
18 and industry as primary factors in making awards.
19 The chancellor shall incorporate grant require-
20 ments into the guidelines for audits of economic
21 development grants.

22 (h) Primary objectives of the Economic and Work-
23 force Development Program are to maximize in-
24 struction, to prepare students for entry-level jobs,
25 to increase skills of the current workforce, and to
26 stimulate the growth of businesses through train-
27 ing so that more jobs are created. As part of the
28 annual report on the performance of the Economic
29 and Workforce Development Program, the chan-
30 cellor shall provide disaggregated data detailing
31 the funding provided to each economic develop-
32 ment regional center and each industry-driven
33 regional education and training collaborative, and
34 to the extent practicable, the total number of hours
35 of contract education services, performance im-
36 provement training, credit and noncredit instruc-
37 tion, and job placements created as a result of
38 each center and collaborative.

39 24. (a) The funds appropriated in Schedule (17) for the
40 Transfer Education and Articulation Program are

1 available to support transfer and articulation projects and common course numbering projects.

2

3 (b) Funding provided to community college districts

4 from Schedule (17) is provided to directly offset

5 any mandated costs claimed by community college

6 districts pursuant to Chapter 737 of the

7 Statutes of 2004.

8 25. (a) \$13,673,000 of the funds appropriated in Schedule

9 (18) is available for the following purposes:

10 (1) ~~Scheduled maintenance and special repairs~~

11 ~~of facilities. The Chancellor of the California~~

12 ~~Community Colleges shall allocate funds to~~

13 ~~districts on the basis of actual reported full-~~

14 ~~time equivalent students (FFES), and may~~

15 ~~establish a minimum allocation per district.~~

16 ~~As a condition for receiving and expending~~

17 ~~these funds for maintenance or special re-~~

18 ~~pairs, a district shall certify that it will in-~~

19 ~~crease its operations and maintenance~~

20 ~~spending from the 1995-96 fiscal year by the~~

21 ~~amount it allocates from this appropriation~~

22 ~~for maintenance and special repairs, plus an~~

23 ~~equal amount to be provided from district~~

24 ~~discretionary funds. The chancellor may~~

25 ~~waive all or a portion of the matching require-~~

26 ~~ment based upon a review of a district's finan-~~

27 ~~cial condition. The question of whether a~~

28 ~~district has complied with its resolution shall~~

29 ~~be reviewed under the annual audit of that~~

30 ~~district. For every \$1 a district expends from~~

31 ~~this appropriation for scheduled maintenance~~

32 ~~and special repairs, the recipient district shall~~

33 ~~provide \$1 in matching funds.~~

34 (2) ~~Hazardous substances abatement, cleanup,~~

35 ~~and repairs:~~

36 (3) ~~Architectural barrier removal projects that~~

37 ~~meet the requirements of the federal Ameri-~~

38 ~~cans with Disabilities Act of 1990 (42 U.S.C.~~

39 ~~Sec. 12101 et seq.) and seismic retrofit pro-~~

40 ~~jects limited to \$400,000. Districts that re-~~

1 receive funds for architectural barrier removal
 2 projects shall provide a \$1 match for every
 3 \$1 provided by the state.

4 (b) \$13,672,000 of the funds appropriated in Schedule
 5 (18) is available for replacement of instructional
 6 equipment and library materials. For every \$3 a
 7 district expends from this appropriation for re-
 8 placement of instructional equipment or library
 9 materials, the recipient district shall provide \$1
 10 in matching funds. The chancellor may waive all
 11 or a portion of the matching requirement based
 12 upon a review of a district's financial condition.
 13 The funds provided for instructional equipment
 14 and library materials shall not be used for personal
 15 services costs or operating expenses. The chancel-
 16 lor shall allocate funds to districts on the basis of
 17 actual reported FTES and may establish a mini-
 18 mum allocation per district. The question of
 19 whether a district has complied with its resolution
 20 shall be reviewed under the annual audit of that
 21 district.

22 (c) The funds appropriated in Schedule (18) shall be
 23 available for expenditure until June 30, 2010.

24 26. Pursuant to Sections 69648.5, 78216, and 84850, and
 25 subdivision (b) of Section 87108, of the Education
 26 Code, the Board of Governors of the California Com-
 27 munity Colleges may allocate funds appropriated in
 28 Schedules (6), (9), (11), and (19) by grant or contract,
 29 or through the apportionment process, to one or more
 30 districts for the purpose of providing program evalua-
 31 tion, accountability, monitoring, or program develop-
 32 ment services, as appropriate under the applicable
 33 statute.

34 27. ~~The funds~~ Funds appropriated in Schedule (21) for
 35 the Career Technical Education Program are for the
 36 purpose of aligning career-technical education curricu-
 37 lum between K-12 and community colleges in targeted
 38 industry-driven programs offered through the Econom-
 39 ic and Workforce Development Program. Prior to the
 40 allocation of ~~these any~~ funds for career technical edu-

1 *cation*, the Chancellor of the California Community
 2 Colleges, in conjunction with the State Department of
 3 Education, shall submit a proposed expenditure plan
 4 for the funds contained in this item, and the rationale
 5 therefor, to the Department of Finance by August 1,
 6 2008, for approval.

7 ~~—Of the funds appropriated in Schedule (21);~~
 8 ~~\$2,500,000 is available for the development and en-~~
 9 ~~hancement of health-related career pathway programs~~
 10 ~~in grades 7 to 12, inclusive, and for the articulation~~
 11 ~~and alignment of health-related curriculum between~~
 12 ~~schools with pupils in kindergarten and grades 1 to~~
 13 ~~12, inclusive, and the California Community Colleges.~~

14 28. The funds appropriated in Schedule (22) for the
 15 Campus Childcare Tax Bailout shall be allocated by
 16 the Chancellor of the California Community Colleges
 17 to community college districts that levied child care
 18 permissive override taxes in the 1977–78 fiscal year
 19 pursuant to Sections 8329 and 8330 of the Education
 20 Code in an amount equal to the property tax revenues,
 21 tax relief subventions, and state aid required to be
 22 made available by the district to its child care and de-
 23 velopment program for the 1979–80 fiscal year pur-
 24 suant to Section 30 of Chapter 1035 of the Statutes of
 25 1979, increased by any cost-of-living increases granted
 26 in subsequent fiscal years. These funds shall be used
 27 only for the purpose of community college child care
 28 and development programs.

29 29. With regard to the funds appropriated in Schedule
 30 (23), Nursing Program Support, all of the following
 31 shall apply:

32 (a) ~~\$14,000,000~~ *\$11,168,000* shall be used to provide
 33 support for nursing program enrollment and
 34 equipment needs consistent with paragraph (2) of
 35 subdivision (a) of Section 2 of Chapter 514 of the
 36 Statutes of 2001. Grant funding for nursing enroll-
 37 ment shall provide a marginal increase in funding
 38 in addition to the amount provided for each full-
 39 time equivalent student for regular growth in ap-
 40 portionments.

- 1 (b) ~~\$8,100,000~~-\$6,462,000 shall be used to provide
2 diagnostic and support services, preentry course-
3 work, alternative program delivery model devel-
4 opment, and other services to reduce the incidence
5 of student attrition in nursing programs.
- 6 (d) The Board of Governors of the California Com-
7 munity Colleges shall develop a request for appli-
8 cations (RFA) to allocate the additional
9 ~~\$5,214,000~~ \$4,163,000 of funds in subdivision
10 (b) to community college districts. Criteria for
11 assessing each RFA shall include all of the follow-
12 ing:
 - 13 (1) The degree to which the funds provided
14 would be used to increase student enrollment
15 in nursing programs beyond the level of full-
16 time equivalent students served in the
17 2007–08 academic year.
 - 18 (2) The district’s level of attrition from nursing
19 programs and the suitability of planned ex-
20 penditures to address attrition levels.
 - 21 (3) The degree to which funds provided would
22 be used to support infrastructure or equip-
23 ment needs with the intent of building capac-
24 ity and increasing the number of nursing
25 students served.
 - 26 (4) For districts with attrition rates of 15 percent
27 or more, new grant funding shall focus on
28 attrition reduction. For districts with attrition
29 rates below 15 percent, new grant funding
30 shall focus on enrollment expansion.
- 31 (e) The board of governors shall release the RFA no
32 sooner than 30 days after submitting it to the
33 Legislature and the Department of Finance for
34 review.
- 35 (f) On or before March 1 of each year, the Chancellor
36 of the California Community Colleges shall pro-
37 vide the Legislature and the Department of Fi-
38 nance with a report on the allocation of funding.
39 For each district receiving funding under this item,
40 the report shall include all of the following: (1)

1 the amount of funding received, (2) the number
 2 of nursing full-time equivalent students served in
 3 the 2006–07 academic year, and the additional
 4 number of nursing full-time equivalent students
 5 served with funding provided in this item in each
 6 subsequent year, (3) the district’s attrition and
 7 completion rates in the 2006–07 academic year
 8 and subsequent years, (4) any equipment or infra-
 9 structure-related items acquired with the funds
 10 appropriated in this item, and (5) the number of
 11 new and existing faculty receiving annual stipend
 12 awards.

13
 14 *SEC. 26. Item 6870-295-0001 of Section 2.00 of the Budget*
 15 *Act of 2008 is amended to read:*

16
 17 6870-295-0001—For local assistance, Board of Governors of
 18 the California Community Colleges (Proposition 98), for
 19 reimbursement, in accordance with provisions of Section
 20 6 of Article XIII B of the California Constitution or Section
 21 17561 of the Government Code, of the costs of any new
 22 program or increased level of service of an existing pro-
 23 gram mandated by statute or executive order, for disburse-
 24 ment by the Controller..... 4,004,000
 25 3,000

26 Schedule:
 27 (1) 98.01.000.184-Health Fees (Ch. 1, Stats.
 28 1984, 2nd Ex. Sess.) (CSM-4206)..... 3,989,000
 29 1,000
 30 (2) 98.01.090.896-Sex Offenders: Disclo-
 31 sure Requirements (Ch. 908, Stats.
 32 1996) (CSM-97-TC-15)..... 11,000
 33 1,000
 34 (3) 98.01.028.498-Law Enforcement Juris-
 35 diction Agreements (Ch. 284, Stats.
 36 1998) (CSM-98-TC-20)..... 4,000
 37 1,000

38 Provisions:
 39 1. Allocation of funds appropriated in this item to the
 40 appropriate local entities shall be made by the Con-

1 troller in accordance with the provisions of each statute
 2 or executive order that mandates the reimbursement
 3 of the costs, and shall be audited to verify the actual
 4 amount of the mandated costs in accordance with
 5 subdivision (d) of Section 17561 of the Government
 6 Code. Audit adjustments to prior year claims may be
 7 paid from this item. Funds appropriated by this item
 8 may be used to provide reimbursement pursuant to
 9 Article 5 (commencing with Section 17615) of Chapter
 10 4 of Part 7 of Division 4 of Title 2 of the Government
 11 Code.

- 12 2. If any of the scheduled amounts are insufficient to
 13 provide full reimbursement of costs, the Controller
 14 may, upon notifying the Director of Finance in writing,
 15 augment those deficient amounts from the unencum-
 16 bered balance of any other scheduled amounts therein.
 17 No order may be issued pursuant to this provision un-
 18 less written notification of the necessity therefor is
 19 provided to the chairpersons of the committees in each
 20 house of the Legislature that consider appropriations,
 21 and the Chairperson of the Joint Legislative Budget
 22 Committee or his or her designee.

23
 24 *SEC. 27. Item 6870-485 is added to Section 2.00 of the Budget*
 25 *Act of 2008, to read:*

26
 27 *6870-485—Reappropriation, Board of Governors of the Cali-*
 28 *fornia Community Colleges (Proposition 98). The sum of*
 29 *\$1,408,536 is hereby reappropriated from the Proposition*
 30 *98 Reversion Account, for the following purpose:*

31 *101-0001—Local Assistance*

- 32 *(1) \$1,408,536 to the Board of Governors of the California*
 33 *Community Colleges, on a one-time basis, to backfill*
 34 *the Puente Project in Schedule (20) of Item 6870-101-*
 35 *0001.*

36
 37 *SEC. 28. Section 12.40 of the Budget Act of 2008 is amended*
 38 *to read:*

39 *Sec. 12.40. (a) Notwithstanding any other provision of law,*
 40 *not more than 10 percent of the amount apportioned to any local*

1 educational agency under the programs funded in this act that were
2 funded in Item 6110-230-0001 of Section 2.00 of Senate Bill 160
3 of the 1999–2000 Regular Session, as introduced on January 8,
4 1999, may be expended by that recipient for the purposes of any
5 other program for which the recipient is eligible for funding under
6 those items, except that the total amount of funding allocated to
7 the recipient under this item that is expended by the recipient for
8 the purposes of any of those programs shall not exceed 115 percent
9 of the amount of state funding allocated pursuant to the
10 appropriations to that recipient for those programs in this act for
11 the fiscal year. Notwithstanding any other provision of law, for
12 the fiscal year, local educational agencies may also use this
13 authority to provide the funds necessary to initiate a conflict
14 resolution program pursuant to Chapter 2.5 (commencing with
15 Section 32260) of Part 19 of Division 1 of Title 1 of the Education
16 Code, and to continue to support following the three-to-five year
17 state grant period.

18 (b) The education programs that are eligible for the flexibility
19 provided in subdivision (a) included the following items: Items
20 ~~6110-111-0001~~, 6110-122-0001, 6110-124-0001, 6110-150-0001,
21 6110-167-0001, 6110-181-0001, 6110-193-0001, 6110-209-0001,
22 and 6110-224-0001 of Section 2.00.

23 (c) Notwithstanding any other provision of law, not more than
24 10 percent of the amount apportioned to any local educational
25 agency from each of Items ~~6110-111-0001~~, 6110-122-0001,
26 6110-124-0001, 6110-167-0001, 6110-181-0001, 6110-193-0001,
27 6110-209-0001, and 6110-224-0001 may be expended by that
28 recipient for programs in Items *6110-111-0001*, 6110-119-0001,
29 6110-128-0001, and 6110-203-0001 so that the total expended
30 does not exceed 115 percent of the state funding for the programs
31 in Items *6110-111-0001*, 6110-119-0001, 6110-128-0001, and
32 6110-203-0001 for the 2008–09 fiscal year.

33 (d) As a condition of receiving the funds provided for the
34 programs identified in subdivision (b), local educational agencies
35 shall report to the State Department of Education by October 15
36 of each year, on any amounts shifted between these programs
37 pursuant to the flexibility provided in subdivision (a). The State
38 Department of Education shall collect and provide this information
39 to the Joint Legislative Budget Committee, chairpersons and vice
40 chairpersons of the fiscal committees of each house of the

1 Legislature for education, and the Department of Finance by
2 February 1 of each year.

3 *SEC. 29. (a) Notwithstanding any other law, one hundred*
4 *fourteen million two hundred nine thousand dollars (\$114,209,000)*
5 *is reduced from the amount appropriated to the State Department*
6 *of Education for the High Priority Schools Grant Program for*
7 *Low Performing Schools in Schedule 1 of Item 6110-123-0001 of*
8 *Section 2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats.*
9 *2008).*

10 *(b) Notwithstanding any other law, fifty-six million seven*
11 *hundred twenty-eight thousand dollars (\$56,728,000) is reduced*
12 *from the amount appropriated to the State Department of*
13 *Education for the Mathematics Reading and Professional*
14 *Development Program in Item 6110-137-0001 of Section 2.00 of*
15 *the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).*

16 *(c) Notwithstanding any other law, four million nine hundred*
17 *thousand dollars (\$4,900,000) is reduced from the amount*
18 *appropriated to the State Department of Education for the*
19 *Administrator Training Program in Item 6110-144-0001 of Section*
20 *2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).*

21 *(d) Notwithstanding any other law, forty-five million dollars*
22 *(\$45,000,000) is reduced from the amount appropriated to the*
23 *State Department of Education for the Adult Education Program*
24 *in Item 6110-156-0001 of Section 2.00 of the Budget Act of 2008*
25 *(Chs. 268 and 269, Stats. 2008).*

26 *(e) Notwithstanding any other law, seventeen million six hundred*
27 *eleven thousand dollars (\$17,611,000) is reduced from the amount*
28 *appropriated to the State Department of Education for Educational*
29 *Technology Programs in Item 6110-181-0001 of Section 2.00 of*
30 *the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).*

31 *(f) Notwithstanding any other law, one million eight hundred*
32 *thousand dollars (\$1,800,000) is reduced from the amount*
33 *appropriated to the State Department of Education for the K–12*
34 *High Speed Network in Item 6110-182-0001 of Section 2.00 of the*
35 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).*

36 *(g) Notwithstanding any other law, two hundred seventy-seven*
37 *million three hundred eighty-two thousand dollars (\$277,382,000)*
38 *is reduced from the amount appropriated to the State Department*
39 *of Education for the Deferred Maintenance Program in Item*

1 6110-188-0001 of Section 2.00 of the Budget Act of 2008 (Chs.
2 268 and 269, Stats. 2008).

3 (h) Notwithstanding any other law, four hundred seventeen
4 million five hundred ninety-one thousand dollars (\$417,591,000)
5 is reduced from the amount appropriated to the State Department
6 of Education for the Instructional Materials Block Grant in Item
7 6110-189-0001 of Section 2.00 of the Budget Act of 2008 (Chs.
8 268 and 269, Stats. 2008).

9 (i) Notwithstanding any other law, twenty-nine million nine
10 hundred forty-four thousand dollars (\$29,944,000) is reduced from
11 the amount appropriated to the State Department of Education for
12 the Peer Assistance and Review Program in Schedule (2) of Item
13 6110-193-0001 of Section 2.00 of the Budget Act of 2008 (Chs.
14 268 and 269, Stats. 2008).

15 (j) Notwithstanding any other law, six million dollars
16 (\$6,000,000) is reduced from the amount appropriated to the State
17 Department of Education for the National Board Certification
18 Program in Item 6110-195-0001 of Section 2.00 of the Budget Act
19 of 2008 (Chs. 268 and 269, Stats. 2008).

20 (k) Notwithstanding any other law, twenty-three million dollars
21 (\$23,000,000) is reduced from the amount appropriated to the
22 State Department of Education for the Charter School Categorical
23 Block Grant in Item 6110-211-0001 of Section 2.00 of the Budget
24 Act of 2008 (Chs. 268 and 269, Stats. 2008).

25 (l) Notwithstanding any other law, ninety-nine million thirty
26 thousand dollars (\$99,030,000) is reduced from the amount
27 appropriated to the State Department of Education for the School
28 Safety Block Grant in Item 6110-228-0001 of Section 2.00 of the
29 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).

30 (m) Notwithstanding any other law, sixty-one million eight
31 hundred fifty-four thousand dollars (\$61,854,000) is reduced from
32 the amount appropriated to the State Department of Education for
33 the Pupil Retention Block Grant in Item 6110-243-0001 of Section
34 2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).

35 (n) Notwithstanding any other law, two hundred seventy-three
36 million two hundred eighty-nine thousand dollars (\$273,289,000)
37 is reduced from the amount appropriated to the State Department
38 of Education for the Professional Development Block Grant in
39 Item 6110-245-0001 of Section 2.00 of the Budget Act of 2008
40 (Chs. 268 and 269, Stats. 2008).

1 (o) Notwithstanding any other law, one hundred sixty-eight
2 million eighty-six thousand six hundred twenty-eight dollars
3 (\$168,086,628) is reduced from the amount appropriated to the
4 State Department of Education for the School Library and
5 Improvement Block Grant in Item 6110-247-0001 of Section 2.00
6 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).

7 (p) Notwithstanding any other law, seventeen million nine
8 hundred fifty-six thousand dollars (\$17,956,000) is reduced from
9 the amount appropriated to the State Department of Education for
10 the School Safety Competitive Grant in Item 6110-248-0001 of
11 Section 2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats.
12 2008).

13 (q) Notwithstanding any other law, forty one million eight
14 hundred twelve thousand dollars (\$41,812,000) is reduced from
15 the amount appropriated to the State Department of Education for
16 the Physical Education Teacher Incentive Grant Program in Item
17 6110-260-0001 of Section 2.00 of the Budget Act of 2008 (Chs.
18 268 and 269, Stats. 2008).

19 (r) Notwithstanding any other law, one hundred nine million
20 seven hundred fifty-seven thousand dollars (\$109,757,000) is
21 reduced from the amount appropriated to the State Department
22 of Education for the Arts and Music Block Grant in Item
23 6110-265-0001 of Section 2.00 of the Budget Act of 2008 (Chs.
24 268 and 269, Stats. 2008).

25 (s) Notwithstanding any other law, eleven million seven hundred
26 seven thousand dollars (\$11,707,000) is reduced from the amount
27 appropriated to the State Department of Education for the
28 Certificated Staff Mentoring Program in Item 6110-267-0001 of
29 Section 2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats.
30 2008).

31 (t) Notwithstanding any other law, four million four hundred
32 thousand dollars (\$4,400,000) is reduced from the amount
33 appropriated to the State Department of Education for the Child
34 Oral Health Assessments Program in Item 6110-268-0001 of
35 Section 2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats.
36 2008).

37 (u) Notwithstanding any other law, one million four hundred
38 eight thousand five hundred thirty-six dollars (\$1,408,536) is
39 reduced from the amount appropriated to the California
40 Community Colleges for the Puente Project in Schedule (20) of

1 *Item 6870-101-0001 of Section 2.00 of the Budget Act of 2008*
2 *(Chs. 268 and 269, Stats. 2008).*

3 *SEC. 30. (a) For the 2008–09 fiscal year only, in order to*
4 *provide local budgeting flexibility as a result of budget reductions*
5 *for categorical programs made by the Legislature for the 2008–09*
6 *fiscal year in Section 28 of this act, the governing board of a school*
7 *district or county office of education may use up to 100 percent of*
8 *the balances, as of June 30, 2008, of restricted accounts in its*
9 *general fund or cafeteria fund, excluding restricted reserves*
10 *committed for capital outlay, bond funds, sinking funds, and federal*
11 *funds, and excluding balances in the following programs:*

12 *(1) Economic Impact Aid (Article 2 (commencing with Section*
13 *54020) of Chapter 1 of Part 29 of Division 4 of Title 2 of the*
14 *Education Code).*

15 *(2) Targeted Instructional Improvement Grant (former Chapter*
16 *2.5 (commencing with Section 54200) of Part 29 of Division 4 of*
17 *Title 2 of the Education Code).*

18 *(3) Instructional materials.*

19 *(4) Special education.*

20 *(5) Quality Education Investment Act of 2006 (Article 3.7*
21 *(commencing with Section 52055.700) of Chapter 6.1 of Part 28*
22 *of Division 4 of Title 2 of the Education Code).*

23 *(6) California High School Exit Exam Intensive Intervention*
24 *Program.*

25 *(7) Home-to-school transportation.*

26 *(b) For purposes of this section, balances of restricted accounts*
27 *do not include the amounts deferred from the 2006–07 fiscal year*
28 *to the 2007–08 fiscal year or the amounts deferred from the*
29 *2007–08 fiscal year to the 2008–09 fiscal year.*

30 *(c) A governing board shall not use the ending balance in any*
31 *restricted account if that use would violate a federal maintenance*
32 *of effort requirement.*

33 *(d) This section does not obligate the state to refund or repay*
34 *funds used pursuant to this section. If a school district uses an*
35 *ending balance in a restricted account that consists, in whole or*
36 *in part, of funds reimbursed to the district as a subvention of funds*
37 *for a state-mandated local program, the school district shall not*
38 *submit a claim to the state for a subsequent reimbursement of the*
39 *funds that were reimbursed pursuant to Section 6 of Article XIII B*

1 of the California Constitution and used pursuant to the authority
2 granted to a school district pursuant to this section.

3 (e) The use of balances of restricted accounts permitted by this
4 section shall be limited to the 2008–09 fiscal year. Those funds
5 shall not be used for any subsequent fiscal year. The total amount
6 of the balances of restricted accounts used pursuant to this section
7 by a school district or county office of education shall not exceed
8 the total amount of the categorical program reductions for the
9 school district or county office of education made in Section 28 of
10 this act.

11 (f) A governing board that elects to use balances in restricted
12 accounts pursuant to this section shall report to the Superintendent,
13 in a manner determined by the Superintendent, regarding the
14 programs and amounts of restricted balances used pursuant to
15 subdivision (a). The Superintendent shall report statewide
16 information and information for each school district and county
17 office of education to the Joint Legislative Budget Committee by
18 October 31, 2009.

19 SEC. 31. (a) Notwithstanding any other provision of law, in
20 order to effectuate the General Fund savings associated with the
21 reductions in appropriations made by this act, the Superintendent
22 of Public Instruction shall reduce the principal apportionment for
23 school districts and county offices of education for the 2008-09
24 fiscal year, as necessary, if both of the following occur during the
25 2008-09 fiscal year:

26 (1) The Controller has disbursed funds from the appropriations
27 reduced by this act in amounts greater than the amounts remaining
28 in those appropriations following the reductions.

29 (2) The Superintendent determines there is no other way to
30 recover the funds that have been disbursed.

31 (b) This section shall be broadly construed to effectuate its
32 purpose.

33 SEC. 32. This act shall become operative only if either
34 Assembly Bill 2 or Senate Bill 2 and either Assembly Bill 9 or
35 Senate Bill 9 of the 2009–10 First Extraordinary Session of the
36 Legislature are enacted and become effective on or before January
37 1, 2009.

38 SECTION 1. ~~It is the intent of the Legislature to enact statutory~~
39 ~~changes relating to the Budget Act of 2008.~~

1 ~~SEC. 2.~~

2 *SEC. 33.* This act addresses the fiscal emergency declared by
3 the Governor by proclamation on December 1, 2008, pursuant to
4 subdivision (f) of Section 10 of Article IV of the California
5 Constitution.

O