

Senate Bill No. 675

Passed the Senate August 31, 2010

Secretary of the Senate

Passed the Assembly August 31, 2010

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Article 5.5 (commencing with Section 54698) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, relating to partnership academies.

LEGISLATIVE COUNSEL'S DIGEST

SB 675, Steinberg. Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.

Existing law establishes the partnership academies program as a school-business partnership program to provide occupational training to educationally disadvantaged high school pupils. Under existing law, the Superintendent of Public Instruction is required to award grants to school districts maintaining high schools to plan, establish, and maintain these partnership academies.

Existing law requires the surcharge imposed on the consumption of electricity in the state to be transferred to the Energy Resources Programs Account in the General Fund, which is available, upon appropriation by the Legislature, for ongoing energy programs and projects.

This bill would require the Controller annually to allocate \$8,000,000 from the Energy Resources Program Account, upon appropriation by the Legislature, to the Superintendent of Public Instruction for expenditure in the form of local grants to be allocated pursuant to the existing provisions for creating and maintaining partnership academies. The bill would require a grantee to implement or maintain a partnership academy that focuses on employment in clean technology businesses and renewable energy businesses and provides skilled workforces for the products and services for energy or water conservation, or both, renewable energy, pollution reduction, or other technologies.

The bill would require the State Energy Resources Conservation and Development Commission, in consultation with the State Department of Education, to develop guidelines, that would be exempted from the Administrative Procedure Act, to ensure that programs receiving grants reflect current state energy policies and

priorities as well as provide skills and education linked to the needs of relevant industries.

The bill would authorize a school district to apply for planning grants for implementing a partnership academy and would allow the Superintendent to expend up to 5% of the funds transferred to the Superintendent to pay the costs incurred in the administration of this program. The bill would require the State Department of Education in consultation with the State Energy Resources Conservation and Development Commission to provide a report to the Legislature that includes a description of the curriculum and substance of the programs funded by grants awarded pursuant to these provisions, and specified data. The bill would provide that the bill's provisions would become inoperative on June 30, 2016, and, as of January 1, 2017, would repeal these provisions.

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

SECTION 1. Article 5.5 (commencing with Section 54698) is added to Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, to read:

Article 5.5. Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program

54698. (a) The Legislature finds and declares all of the following:

(1) California's international leadership in renewable energy, energy conservation, clean technology, and climate change policies creates significant, but dramatically underfunded, opportunities to provide strategic capital investments in energy conservation, clean technologies, and renewable energy, including projects that contribute directly to workforce development and educational opportunities for high school pupils, young workers, community college students and graduates, youth who participate in community or state service organizations, college and university students and graduates, apprenticeship programs for building and construction trades and other technical and vocational careers, and training programs for unemployed, underemployed, or displaced workers and high school dropouts.

(2) California has an opportunity to combine the education and training of both its future college-educated workforce, the underemployment of recent high school graduates, and its highly skilled technical workforce with its effort to combat high school dropout rates and the retraining of workers who have been displaced by the loss of high-wage jobs in California. Clean technology jobs and renewable energy jobs (green collar jobs) can provide underserved communities with a pathway out of poverty, a new and inspiring focus for educational institutions and nonprofit organizations, and significant statewide economic and environmental benefits.

(3) A 2006 poll of at-risk California 9th and 10th graders by Peter D. Hart Research Associates found that six in ten pupils were not motivated to succeed in school. Of those pupils, more than 90 percent said they would be more engaged in their education if classes helped them acquire skills and knowledge relevant to future careers. Career technical education programs that create paths to further education, advanced training, or productive jobs in high opportunity careers can keep pupils engaged and on track toward a diploma.

(4) Investments in training students in industries that focus on renewable energy, energy conservation, clean technologies, and climate change mitigation, will develop the workforce for these industries and provide multiple benefits to California in all of the following ways:

(A) Helping to achieve the state's climate change goals required by the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).

(B) Creating employment opportunities for Californians that would otherwise not be fully realized.

(C) Creating opportunities for new businesses, and expanding and retrofitting existing businesses.

(D) Expanding the state's utilization of renewable energy.

(E) Contributing to the growth of clean technology businesses in California.

(5) A failure to act by California will perpetuate the lack of an integrated education, job training, and business infrastructure that otherwise could take advantage of the projected growth in these industries and the corresponding increase in state and local taxes,

other public revenues, and additional economic benefits associated with the likely surge in clean technology and renewable energy jobs.

(6) The American Solar Energy Association, for example, concluded that in 2006 approximately 3.6 million Americans were directly employed by renewable energy and energy efficiency firms and that another 5 million Americans held jobs indirectly attributable to these industries. The renewable energy and energy efficiency industries of America generated approximately nine hundred seventy-five million dollars (\$975,000,000) in revenue in 2006. These industries could employ a workforce of up to 40 million Americans, and could generate four trillion five hundred billion dollars (\$4,500,000,000,000) in annual revenue by 2030 if these industries were expanded aggressively.

(7) The Renewable and Appropriate Energy Laboratory at the University of California, Berkeley, found that renewable energy creates more jobs per megawatt of power installed, per unit of energy produced, and per dollar of investment, than the fossil fuel energy-based sector.

(8) A study by the Apollo Alliance, a coalition of business, labor, and environmental organizations, showed that a major national investment in renewable energy, alternative automobiles and fuels, high-performance buildings, and infrastructure would result in the creation of nearly 3.5 million green collar jobs for Americans over a 10-year period.

(9) Reducing high school dropout and joblessness rates among California's young people who are preparing for and entering the job market are important state priorities and it is especially important that high school and community college students who choose to do so are trained in careers that will help California achieve its greenhouse gas reduction goals and contribute to the development of California's renewable energy resources.

(b) (1) It is the intent of the Legislature to stimulate the economy of the State of California by creating partnership academies that will lead to the creation of tens of thousands of good paying jobs in industries and businesses that are in compliance with the state's environmental protection laws and regulations, providing entrepreneurs and employers the best-trained workforce in the United States, and preparing young people and adults to work in clean, green industries and professions. These

jobs would provide green pathways out of poverty for individuals in communities that suffer higher high school dropout rates, joblessness, and pollution. These jobs would help achieve California's climate change mitigation obligations and conserve our state's vital resources of water, air quality, land, and energy. These partnership academies would enable California to offer opportunities for business leaders, communities, young people, and adults alike, all of which would benefit from California's emerging new green economy.

(2) It is the intent of the Legislature that the grants authorized by this article should be expended by school districts to train in industries that will be located in California.

(c) The Legislature finds and declares that the State Energy Resources Conservation and Development Commission is currently authorized by Section 40016 of the Revenue and Taxation Code to increase the amount of the existing surcharge imposed on the consumption of electrical energy pursuant to that section. It is the intent of the Legislature that if the commission takes this authorized action, eight million dollars (\$8,000,000) annually of the resulting funds deposited in the Energy Resources Programs Account would be available to fund the program established by this article.

54698.1. As used in this article, the following terms have the following meanings:

(a) "Clean technology business" means a business that focuses on one or more of the following:

(1) Energy audits for determining the energy savings that could be recovered through utility bill financing.

(2) Retrofitting and weatherization activities that increase energy efficiency and conservation.

(3) Energy- and water-efficient public buildings.

(4) Retrofitting and installing energy-efficient household appliances, windows, doors, insulation, and lighting.

(5) Retrofitting and installing water and energy conservation technologies in existing homes, industrial buildings, commercial and public buildings, and farms, forestlands, and ranches, to improve efficiency, including the use of energy and water management technologies and control systems.

(6) The manufacture, sale, assembly, installation, construction, and maintenance of energy-efficient technologies and renewable

energy facilities or the component parts of renewable energy technologies.

(7) Energy-efficient technologies or practices and renewable energy production or the component parts of renewable energy plants and energy distribution, including energy storage, energy infrastructure (including transmission), transportation (including logistics), clean vehicle technology, clean heat and power, and water and wastewater (including water conservation).

(8) Natural resource conservation for the purpose of adapting to climate change, including fish and wildlife habitat restoration, reforestation, native species preservation, invasive species eradication, community tree planting, and other activities that address stressors on natural resources generated by climate change.

(b) “Renewable energy business” means a business that focuses on one or more of the following:

(1) Research and development, manufacturing, generation, development, or maintenance of appropriately sited power line transmission.

(2) Power storage.

(3) Installation, repair, maintenance, or related activities necessary to produce energy from wind, photovoltaic, solar thermal, geothermal, biomass, including cellulosic ethanol, biodiesel, and biomass power, green waste, and fuel cells.

54699. (a) The Controller shall annually allocate the sum of eight million dollars (\$8,000,000) from the Energy Resources Program Account, upon appropriation by the Legislature, to the Superintendent for expenditure in the form of grants to school districts, which shall be allocated using the same criteria as provided in Article 5 (commencing with Section 54690), except as provided in subdivision (b) of Section 54691, and pursuant to the additional requirements of this article.

(b) In addition to the requirements specified in Article 5 (commencing with Section 54690), a school district applying for a grant shall propose to implement a partnership academy, or to maintain an existing academy, that focuses on employment in clean technology businesses or renewable energy businesses and provides skilled workforces for the products and services for energy or water conservation, or both, renewable energy, pollution reduction, or other technologies that improve the environment in furtherance of state environmental laws.

(c) The Superintendent shall review grant applications submitted by school districts in consultation with the State Energy Resources Conservation and Development Commission.

(d) The Superintendent, in consultation with the State Energy Resources Conservation and Development Commission, shall review ongoing programs to ensure those programs are consistent with current state energy policies and priorities.

(e) The State Energy Resources Conservation and Development Commission, in consultation with the department, shall develop guidelines to ensure that programs receiving grants reflect current state energy policies and priorities as well as provide skills and education linked to the needs of relevant industries.

(1) For the initial adoption of guidelines, the commission shall provide written notice to the public of not less than 30 days.

(2) For substantive amendments to the guidelines, the commission shall provide written public notice of not less than 15 days.

(3) Notwithstanding any other law, guidelines adopted pursuant to this article shall be exempt from the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(f) (1) The Superintendent shall give first priority for grants pursuant to this article to school districts that propose to establish a partnership academy at school sites that do not currently participate in the partnership academies program pursuant to Article 5 (commencing with Section 54690) and shall give second priority to school districts that would establish a partnership academy at school sites that do not currently participate in the green partnership academies program funded pursuant to Section 32 of Chapter 757 of the Statutes of 2008.

(2) The Superintendent shall award grants to a school district to establish or operate a partnership academy pursuant to this article in the following amounts:

(A) A district operating a partnership academy may receive one thousand dollars (\$1,000) per year for each qualified student enrolled in grade 9 in an academy during the first year of that academy's operation, except no more than forty-five thousand dollars (\$45,000) may be granted to any one academy for the initial year.

(B) A district operating a partnership academy may receive one thousand dollars (\$1,000) per year for each qualified student enrolled in either grade 9 or 10 in an academy during the second year of that academy's operation except that no more than eighty thousand dollars (\$80,000) may be granted to any one academy for the second year.

(C) A district operating a partnership academy may receive one thousand dollars (\$1,000) for each qualified student enrolled in any of grades 9 to 11, inclusive, in an academy during the third year of that academy's operation, except that no more than one hundred twenty thousand dollars (\$120,000) may be granted to any one academy for the third year.

(D) A district operating a partnership academy may receive one thousand dollars (\$1,000) for each qualified student enrolled in any of grades 9 to 12, inclusive, in an academy during the fourth and following years of that academy's operation, except that no more than one hundred fifty thousand dollars (\$150,000) may be granted to any one academy for each fiscal year.

(3) For purposes of this section, "qualified student" has the same meaning as described in subdivision (c) of Section 54691, but shall also include a 9th grade pupil who meets the at-risk criteria specified in Section 54690, who is enrolled in an academy for the 9th grade, obtains 90 percent of the credits each academic year in courses that are required for graduation, and successfully completes a school year during the 9th grade with an attendance record of not less than 80 percent.

(g) The Superintendent may award a grant to a school district that has received a grant pursuant to Article 5 (commencing with Section 54690), subject to subdivision (d) and the availability of funds.

(h) The Superintendent shall encourage a school district that receives a grant under this article to work and coordinate with regional occupational centers and programs for the required career technical education sequence of courses.

(i) A school district may apply for planning grants, in accordance with subdivision (a) of Section 54691, for implementing a partnership academy pursuant to this article.

(j) Commencing in 2012 and not later than January 1 of each year for which this article is operative, the Superintendent, in consultation with the State Energy Resources Conservation and

Development Commission, shall provide a report to the Legislature that includes, but is not limited to, a description of the curriculum and substance of the programs funded by grants awarded pursuant to this article. The first annual report shall include the identification of gaps in available curricula relating to clean technology and renewable energy that are consistent with current state energy policy and priorities. Commencing in 2013, the report also shall include pupil participation data and data collected for purposes of academy certification under subdivision (e) of Section 54691.

(k) Up to 5 percent of the funds transferred to the Superintendent pursuant to this article may be expended to pay the costs incurred in the administration of this article.

54699.1. This article shall become inoperative on June 30, 2016, and, as of January 1, 2017, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2017, deletes or extends the dates on which it becomes inoperative and is repealed.

Approved _____, 2010

Governor