

AMENDED IN ASSEMBLY AUGUST 2, 2010

AMENDED IN ASSEMBLY JUNE 22, 2010

AMENDED IN SENATE APRIL 28, 2010

AMENDED IN SENATE APRIL 15, 2010

**SENATE BILL**

**No. 1380**

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**Introduced by Senator Hancock**

February 19, 2010

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An act to add Section 17078.73 to the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1380, as amended, Hancock. School facilities: construction.

Existing law establishes the Career Technical Education Facilities Program as a part of the Leroy F. Greene School Facilities Act of 1998 for the purpose of providing funding to qualifying local educational agencies for constructing new facilities or reconfiguring existing facilities, including purchasing equipment with an average useful life expectancy of at least 10 years, to enhance educational opportunities for pupils in existing high schools.

This bill would require school facilities constructed or modernized with specified bond funds set aside for career technical education purposes to be used for career technical education purposes for a minimum of 10 years. The governing board of an applicant school district would be required to adopt a resolution stating the intent to use those facilities for career technical education purposes and provide certification regarding that use during the first year of occupation. The bill would authorize the governing board of a school district to seek a waiver of the career technical education use requirement from the State

Allocation Board if the facility or educational program of the school district changes during the initial 10 years of use *and would specify criteria by which to evaluate the waiver request.*

The bill would encourage school districts applying for a career technical education grant to include teachers of career technical education and members of the local career technical education advisory committee in the design and planning process.

The bill would authorize up to 25% of the funds provided for equipment to be used for the purchase of items or equipment with a life expectancy of at least 5 years.

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

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

1 SECTION 1. Section 17078.73 is added to the Education Code,  
 2 to read:  
 3 17078.73. (a) School facilities constructed or modernized  
 4 ~~using funds received pursuant to paragraph (4) of subdivision (a)~~  
 5 ~~of Section 101012 pursuant to this article~~ shall be used for career  
 6 technical education purposes for a minimum of 10 years. The  
 7 governing board of an applicant school district shall submit a  
 8 resolution adopted by the governing board stating the intent to use  
 9 the facilities built or modernized with funds received pursuant to  
 10 paragraph (4) of subdivision (a) of Section 101012 for career  
 11 technical education purposes and shall provide certification  
 12 regarding this use during the first year of occupation of the school  
 13 facility. If the facility or educational program of the school district  
 14 changes during the initial 10 years of use, the governing board  
 15 may seek a waiver of the career technical education use  
 16 requirement from the board. *The department shall evaluate the*  
 17 *waiver request pursuant to the following criteria and recommend*  
 18 *to the board whether or not to grant the waiver:*  
 19 (1) *Enrollment changes in the school district.*  
 20 (2) *Enrollment changes in the career technical education*  
 21 *program.*  
 22 (3) *Changes in labor market demands.*  
 23 (4) *Inability to hire teaching staff with the proper credentials.*  
 24 (5) *The fiscal conditions of the school district.*

1     (6) *Other factors presented by the governing board, as deemed*  
2 *appropriate and relevant by the department and board.*

3     (b) A school district applying for a career technical education  
4 grant is encouraged to include teachers of career technical  
5 education and members of the local career technical education  
6 advisory committee in the design and planning process leading to  
7 the submission of an application that is a request for full funding  
8 or a reservation of funds.

9     (c) Qualifying equipment purchased with funds received  
10 pursuant to paragraph (4) of subdivision (a) of Section 101012  
11 shall have a life expectancy of at least 10 years, except that up to  
12 25 percent of the funds provided for equipment may be used for  
13 the purchase of items or equipment with a life expectancy of at  
14 least five years. *A school district is encouraged to purchase energy*  
15 *efficient and environmentally preferable equipment.*