

AMENDED IN ASSEMBLY AUGUST 16, 2010

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

Introduced by Senator Hancock

February 19, 2010

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~~ 5 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~~ 5 years of use and would specify criteria by which to evaluate the waiver request. *This bill would require the governing board of school districts with projects approved by the board, as specified, to meet the evaluation criteria.*

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) (1) School facilities constructed or modernized
- 4 pursuant to this article shall be used for career technical education
- 5 purposes for a minimum of ~~10~~ five years. The governing board of
- 6 an applicant school district shall submit a resolution adopted by
- 7 the governing board stating the intent to use the facilities built or
- 8 modernized with funds received pursuant to paragraph (4) of
- 9 subdivision (a) of Section 101012 for career technical education
- 10 purposes and shall provide certification regarding this use during
- 11 the first year of occupation of the school facility. If the facility or
- 12 educational program of the school district changes during the initial
- 13 ~~10~~ five years of use, the governing board may seek a waiver of the
- 14 career technical education use requirement from the board. The
- 15 department shall evaluate the waiver request pursuant to the
- 16 following criteria and recommend to the board whether or not to
- 17 grant the waiver:
- 18 (1)
- 19 (A) Enrollment changes in the school district.
- 20 (2)

1 (B) Enrollment changes in the career technical education
2 program.

3 ~~(3)~~

4 (C) Changes in labor market demands.

5 ~~(4)~~

6 (D) Inability to hire teaching staff with the proper credentials.

7 ~~(5)~~

8 (E) The fiscal conditions of the school district.

9 ~~(6)~~

10 (F) Other factors presented by the governing board, as deemed
11 appropriate and relevant by the department and board.

12 (2) *The governing board of a school district with projects*
13 *approved by the State Allocation Board pursuant to Section 101012*
14 *on or after January 1, 2011, shall meet the requirements specified*
15 *in paragraph (1).*

16 (b) A school district applying for a career technical education
17 grant is encouraged to include teachers of career technical
18 education and members of the local career technical education
19 advisory committee in the design and planning process leading to
20 the submission of an application that is a request for full funding
21 or a reservation of funds.

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

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