

AMENDED IN ASSEMBLY APRIL 7, 2011

AMENDED IN ASSEMBLY MARCH 3, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 189**

---

---

**Introduced by Assembly Member Eng  
(Coauthors: Assembly Members ~~Fong~~ Alejo, Fong,  
Roger Hernández, Mendoza, Swanson, and Torres)**

January 26, 2011

---

---

An act to amend Sections 42605 and 52612 of the Education Code, relating to education funding, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 189, as amended, Eng. Education funding.

(1) Existing law establishes various categorical education programs and appropriates the funding for those programs in the annual Budget Act. Existing law requires the Superintendent of Public Instruction, for the 2008–09 to ~~2012–13~~ 2014–15 fiscal years, inclusive, to apportion from the amounts provided in the annual Budget Act for specified categorical education programs an amount based on the same relative proportion that the local educational agency received in the 2008–09 fiscal year for those programs and authorizes school districts, for those fiscal years, to use these funds, with specified exceptions, for any educational purpose, to the extent permitted by federal law. ~~Existing law, for those fiscal years, deems local educational agencies that use these categorical education program funds for any educational purpose to be in compliance with the program and funding requirements of those categorical education programs, including requirements related to average daily attendance accounting.~~

~~This bill would extend the operation of this provision for 2 additional fiscal years, thus extending it through the 2014–15 fiscal year. Commencing with the 2011–12 fiscal year, the bill would require a local educational agency that receives funding pursuant to the above provision to allocate a sufficient amount, as defined, of the funding received from specified Budget Items for the purposes provided for in those items. As a condition of receipt of funds, the bill would also require the governing board of the school district or board of the county office of education, as appropriate, to certify that this sufficient amount of funding has been provided at a regularly scheduled open public hearing. The bill would also make various findings and declarations. By allowing funds appropriated for specified purposes to be expended for any educational purpose for 2 additional fiscal years, the bill would make an appropriation.~~

*Existing law requires, as a condition of receipt of the above-described funds for any educational purpose, the governing board of a school district or county office of education, as appropriate, to discuss, approve, or disapprove the proposed use of funding and to make explicit the purposes for which each item of appropriation for specified categorical education programs will be used at a regularly scheduled open public hearing.*

*This bill would require that public hearing to be held prior to and independent of a meeting where the governing board of a school district or county office of education adopts a budget. The bill would also require the governing board to identify the program or programs to be closed prior to the public hearing, as specified.*

*(2) Existing law requires a local educational agency to report expenditures of certain categorical education program funds for any educational purpose using the Standardized Account Code Structure, as specified, and requires the Department of Education to collect and provide this information to the Department of Finance and appropriate legislative committees by a specified date.*

*This bill would require that information to be collected in a manner that displays the linkage between a local educational agency's allocation of each item of appropriation for specified categorical education programs and the agency's expenditure of those funds.*

~~(2)~~

*(3) Existing law authorizes the governing board of a school district maintaining an adult class to require an adult enrolled in the class to pay a fee and prohibits the governing board from imposing a charge*

for a class in English and citizenship for foreigners or a class in an elementary subject, except as specified.

This bill would remove that prohibition *until July 1, 2015*.

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

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

1 SECTION 1. ~~Section 42605 of the Education Code is amended~~  
2 ~~to read:~~

3 ~~42605. (a) (1) Unless otherwise prohibited under federal law~~  
4 ~~or otherwise specified in subdivisions (e) and (g), for the 2008-09~~  
5 ~~fiscal year to the 2014-15 fiscal year, inclusive, recipients of funds~~  
6 ~~from the items listed in paragraph (2) may use funding received,~~  
7 ~~pursuant to subdivision (b), from any of these items listed in~~  
8 ~~paragraph (2) that are contained in Section 2.00 of the annual~~  
9 ~~Budget Act, for any educational purpose.~~

10 ~~(2) Items 6110-104-0001, 6110-105-0001, 6110-108-0001,~~  
11 ~~6110-122-0001, 6110-123-0001, 6110-124-0001, 6110-137-0001,~~  
12 ~~6110-144-0001, 6110-150-0001, 6110-151-0001, 6110-156-0001,~~  
13 ~~6110-181-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001,~~  
14 ~~6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001,~~  
15 ~~6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-227-0001,~~  
16 ~~6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001,~~  
17 ~~6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001,~~  
18 ~~6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001,~~  
19 ~~6110-266-0001, 6110-267-0001, 6110-268-0001, and~~  
20 ~~6360-101-0001 of Section 2.00.~~

21 ~~(b) (1) For the 2009-10 fiscal year to the 2014-15 fiscal year,~~  
22 ~~inclusive, the Superintendent or other administering state agency,~~  
23 ~~as appropriate, shall apportion from the amounts provided in the~~  
24 ~~annual Budget Act for the items enumerated in paragraph (2) of~~  
25 ~~subdivision (a) an amount to recipients based on the same relative~~  
26 ~~proportion that the recipient received in the 2008-09 fiscal year~~  
27 ~~for the programs funded through the items enumerated in paragraph~~  
28 ~~(2) of subdivision (a).~~

29 ~~(2) This section and Section 42 of Chapter 12 of the 2009-10~~  
30 ~~Third Extraordinary Session do not authorize a school district that~~  
31 ~~receives funding on behalf of a charter school pursuant to Sections~~  
32 ~~47634.1 and 47651 to redirect this funding for another purpose~~

1 ~~unless otherwise authorized in law or pursuant to an agreement~~  
2 ~~between a charter school and its chartering authority.~~  
3 ~~Notwithstanding paragraph (1), for the 2008–09 fiscal year to the~~  
4 ~~2014–15 fiscal year, inclusive, a school district that receives~~  
5 ~~funding on behalf of a charter school pursuant to Sections 47634.1~~  
6 ~~and 47651 shall continue to distribute the funds to those charter~~  
7 ~~schools based on the relative proportion that the school district~~  
8 ~~distributed in the 2007–08 fiscal year, and shall adjust those~~  
9 ~~amounts to reflect changes in charter school attendance in the~~  
10 ~~district. The amounts allocated shall be adjusted for any greater~~  
11 ~~or lesser amount appropriated for the items enumerated in~~  
12 ~~paragraph (2) of subdivision (a). For a charter school that began~~  
13 ~~operation in the 2008–09 fiscal year, if a school district received~~  
14 ~~funding on behalf of that charter school pursuant to Sections~~  
15 ~~47634.1 and 47651, the school district shall continue to distribute~~  
16 ~~the funds to that charter school based on the relative proportion~~  
17 ~~that the school district distributed in the 2008–09 fiscal year and~~  
18 ~~shall adjust the amount of those funds to reflect changes in charter~~  
19 ~~school attendance in the district. The amounts allocated shall be~~  
20 ~~adjusted for any greater or lesser amount appropriated for the items~~  
21 ~~enumerated in paragraph (2) of subdivision (a):~~

22 ~~(3) Notwithstanding paragraph (1), for the 2008–09 fiscal year~~  
23 ~~to the 2014–15 fiscal year, inclusive, the Superintendent shall~~  
24 ~~apportion from the amounts appropriated by Item 6110-211-0001~~  
25 ~~of Section 2.00 of the annual Budget Act an amount to a charter~~  
26 ~~school in accordance with the per-pupil methodology prescribed~~  
27 ~~in subdivision (c) of Section 47634.1.~~

28 ~~(4) Notwithstanding paragraph (1), for the 2008–09 fiscal year~~  
29 ~~to the 2014–15 fiscal year, inclusive, the Superintendent shall~~  
30 ~~apportion from the amounts provided in Section 2.00 of the annual~~  
31 ~~Budget Act an amount to a school district, charter school, and~~  
32 ~~county office of education based on the same relative proportion~~  
33 ~~that the local educational agency received in the 2007–08 fiscal~~  
34 ~~year for the programs funded through the following items contained~~  
35 ~~in the annual Budget Act: 6110-104-0001, 6110-105-0001,~~  
36 ~~6110-156-0001, 6110-190-0001, Schedule (3) of 6110-193-0001,~~  
37 ~~6110-198-0001, 6110-232-0001, and Schedule (2) of~~  
38 ~~6110-240-0001.~~

39 ~~(5) For purposes of paragraph (4), if a direct-funded charter~~  
40 ~~school began operation in the 2008–09 fiscal year, the amount that~~

1 ~~the charter school was entitled to receive from the items~~  
2 ~~enumerated in paragraph (4) for the 2008–09 fiscal year, as certified~~  
3 ~~by the Superintendent in March 2009, is deemed to have been~~  
4 ~~received in the 2007–08 fiscal year.~~

5 ~~(e) (1) This section does not obligate the state to refund or repay~~  
6 ~~reductions made pursuant to this section. A decision by a school~~  
7 ~~district to reduce funding pursuant to this section for a~~  
8 ~~state-mandated local program shall constitute a waiver of the~~  
9 ~~subvention of funds that the school district is otherwise entitled to~~  
10 ~~pursuant to Section 6 of Article XIII B of the California~~  
11 ~~Constitution on the amount so reduced.~~

12 ~~(2) As a condition of receipt of funds, the governing board of~~  
13 ~~the school district or board of the county office of education, as~~  
14 ~~appropriate, at a regularly scheduled open public hearing shall do~~  
15 ~~both of the following:~~

16 ~~(A) Take testimony from the public, discuss, approve or~~  
17 ~~disapprove the proposed use of funding, and make explicit for each~~  
18 ~~of the budget items in paragraph (2) of subdivision (a) the purposes~~  
19 ~~for which the funds will be used.~~

20 ~~(B) Certify that a sufficient amount of funding has been provided~~  
21 ~~pursuant to paragraph (1) of subdivision (g).~~

22 ~~(3) Using the Standardized Account Code Structure reporting~~  
23 ~~process, a local educational agency shall report expenditures of~~  
24 ~~funds pursuant to the authority of this section by using the~~  
25 ~~appropriate function codes to indicate the activities for which these~~  
26 ~~funds are expended. The department shall collect and provide this~~  
27 ~~information to the Department of Finance and the appropriate~~  
28 ~~policy and budget committees of the Legislature by April 15, 2010,~~  
29 ~~and annually thereafter on April 15 until, and including, April 15,~~  
30 ~~2016.~~

31 ~~(d) For the 2008–09 fiscal year to the 2014–15 fiscal year,~~  
32 ~~inclusive, local educational agencies that use the flexibility~~  
33 ~~provision of this section shall be deemed to be in compliance with~~  
34 ~~the program and funding requirements contained in statutory,~~  
35 ~~regulatory, and provisional language, associated with the items~~  
36 ~~enumerated in subdivision (a).~~

37 ~~(e) Notwithstanding subdivision (d), the following requirements~~  
38 ~~shall continue to apply:~~

39 ~~(1) For Items 6110-105-0001 and 6110-156-0001 of Section~~  
40 ~~2.00 of the annual Budget Act, the amount authorized for flexibility~~

1 shall exclude the funding provided for instruction of  
2 CalWORKs-eligible students pursuant to Schedules (2) and (3)  
3 and Provisions 2 and 4.

4 (2) (A) Any instructional materials purchased by a local  
5 educational agency shall be the materials adopted by the state  
6 board for kindergarten and grades 1 to 8, inclusive, and for grades  
7 9 to 12, inclusive, the materials purchased shall be aligned with  
8 state standards as defined by Section 60605, and shall also meet  
9 the reporting and sufficiency requirements contained in Section  
10 60119.

11 (B) For purposes of this section, “sufficiency” means that each  
12 pupil has sufficient textbooks and instructional materials in the  
13 four core areas as defined by Section 60119 and that all pupils  
14 within the local educational agency who are enrolled in the same  
15 course shall have identical textbooks and instructional materials,  
16 as specified in Section 1240.3.

17 (3) For Item 6110-195-0001 of Section 2.00 of the annual  
18 Budget Act, the item shall exclude moneys that are required to  
19 fund awards for teachers that have previously met the requirements  
20 necessary to obtain these awards, until the award is paid in full.

21 (4) For Item 6110-266-0001 of Section 2.00 of the annual  
22 Budget Act, a county office of education shall conduct at least one  
23 site visit to each of the required schoolsites pursuant to Section  
24 1240 and shall fulfill all of the duties set forth in Sections 1240  
25 and 44258.9.

26 (5) For Item 6110-198-0001 of Section 2.00 of the annual  
27 Budget Act, a school district or county office of education that  
28 operates the child care component of the Cal-SAFE program shall  
29 comply with paragraphs (5) and (6) of subdivision (c) of Section  
30 54746.

31 (f) This section does not invalidate any state law pertaining to  
32 teacher credentialing requirements or the functions that require  
33 credentials.

34 (g) (1) Notwithstanding subdivision (d), commencing with the  
35 2011-12 fiscal year, a local educational agency that receives  
36 funding pursuant to this section shall allocate a sufficient amount  
37 of funding received from the items listed in paragraph (2) for the  
38 purposes provided for in those items. For purposes of this  
39 paragraph, a “sufficient amount” means maintaining a sufficient  
40 level of instruction services for each of the programs funded by

1 the items listed in paragraph (2), to the extent that the local  
2 educational agency shall be able to reinstate full funding for the  
3 programs upon the expiration of the funding flexibility authorized  
4 pursuant to this section.

5 (2) This subdivision shall apply to Items 6110-104-0001,  
6 6110-105-0001, 6110-156-0001, and 6110-204-0001 of Section  
7 2.00 of the annual Budget Act.

8 (3) The Legislature finds and declares both of the following:

9 (A) The funding flexibility authorized pursuant to this section  
10 is for the purpose of assisting local educational agencies in  
11 responding to the state’s current fiscal emergency and is intended  
12 to last only for the duration of the fiscal emergency.

13 (B) It is the intent of the Legislature that, after a local  
14 educational agency makes the determination that a sufficient  
15 amount of funding has been allocated pursuant to paragraph (1),  
16 the local educational agency should ensure that there are an  
17 adequate number of administrative and credentialed teaching staff  
18 to provide a baseline level of core courses during the period that  
19 funding flexibility is authorized pursuant to this section, so that  
20 there is sufficient staffing to fully expand programmatic offerings  
21 upon the expiration of the funding flexibility.

22 *SECTION 1. Section 42605 of the Education Code is amended*  
23 *to read:*

24 42605. (a) (1) Unless otherwise prohibited under federal law  
25 or otherwise specified in subdivision (e), for the 2008–09 fiscal  
26 year to the 2014–15 fiscal year, inclusive, recipients of funds from  
27 the items listed in paragraph (2) may use funding received, pursuant  
28 to subdivision (b), from any of these items listed in paragraph (2)  
29 that are contained in ~~an~~ *Section 2.00 of the annual Budget Act*, for  
30 any educational purpose.

31 (2) Items 6110-104-0001, 6110-105-0001, 6110-108-0001,  
32 6110-122-0001, 6110-124-0001, 6110-137-0001, 6110-144-0001,  
33 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-181-0001,  
34 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001,  
35 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001,  
36 6110-209-0001, 6110-211-0001, 6110-227-0001, 6110-228-0001,  
37 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001,  
38 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001,  
39 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-266-0001,

1 6110-267-0001, 6110-268-0001, and 6360-101-0001 of Section  
2 2.00.

3 (b) (1) For the 2009–10 fiscal year to the 2014–15 fiscal year,  
4 inclusive, the Superintendent or other administering state agency,  
5 as appropriate, shall apportion from the amounts provided in the  
6 annual Budget Act for the items enumerated in paragraph (2) of  
7 subdivision (a) an amount to recipients based on the same relative  
8 proportion that the recipient received in the 2008–09 fiscal year  
9 for the programs funded through the items enumerated in paragraph  
10 (2) of subdivision (a).

11 (2) This section and Section 42 of Chapter 12 of the Third  
12 Extraordinary Session of the Statutes of 2009 do not authorize a  
13 school district that receives funding on behalf of a charter school  
14 pursuant to Sections 47634.1 and 47651 to redirect this funding  
15 for another purpose unless otherwise authorized in law or pursuant  
16 to an agreement between a charter school and its chartering  
17 authority. Notwithstanding paragraph (1), for the 2008–09 fiscal  
18 year to the 2014–15 fiscal year, inclusive, a school district that  
19 receives funding on behalf of a charter school pursuant to Sections  
20 47634.1 and 47651 shall continue to distribute the funds to those  
21 charter schools based on the relative proportion that the school  
22 district distributed in the 2007–08 fiscal year, and shall adjust those  
23 amounts to reflect changes in charter school attendance in the  
24 district. The amounts allocated shall be adjusted for any greater  
25 or lesser amount appropriated for the items enumerated in  
26 paragraph (2) of subdivision (a). For a charter school that began  
27 operation in the 2008–09 fiscal year, if a school district received  
28 funding on behalf of that charter school pursuant to Sections  
29 47634.1 and 47651, the school district shall continue to distribute  
30 the funds to that charter school based on the relative proportion  
31 that the school district distributed in the 2008–09 fiscal year and  
32 shall adjust the amount of those funds to reflect changes in charter  
33 school attendance in the district. The amounts allocated shall be  
34 adjusted for any greater or lesser amount appropriated for the items  
35 enumerated in paragraph (2) of subdivision (a).

36 (3) Notwithstanding paragraph (1), for the 2008–09 fiscal year  
37 to the 2014–15 fiscal year, inclusive, the Superintendent shall  
38 apportion from the amounts appropriated by Item 6110-211-0001  
39 of Section 2.00 of the annual Budget Act an amount to a charter

1 school in accordance with the per-pupil methodology prescribed  
2 in subdivision (c) of Section 47634.1.

3 (4) Notwithstanding paragraph (1), for the 2008–09 fiscal year  
4 to the 2014–15 fiscal year, inclusive, the Superintendent shall  
5 apportion from the amounts provided in *Section 2.00* of the annual  
6 Budget Act an amount to a school district, charter school, and  
7 county office of education based on the same relative proportion  
8 that the local educational agency received in the 2007–08 fiscal  
9 year for the programs funded through the following items contained  
10 in Section 2.00 of the annual Budget Act: 6110-104-0001,  
11 6110-105-0001, 6110-156-0001, 6110-190-0001, Schedule (3) of  
12 6110-193-0001, 6110-198-0001, 6110-232-0001, and Schedule  
13 (2) of 6110-240-0001.

14 (5) For purposes of paragraph (4), if a direct-funded charter  
15 school began operation in the 2008–09 fiscal year, the amount that  
16 the charter school was entitled to receive from the items  
17 enumerated in paragraph (4) for the 2008–09 fiscal year, as certified  
18 by the Superintendent in March 2009, is deemed to have been  
19 received in the 2007–08 fiscal year.

20 (c) (1) This section does not obligate the state to refund or repay  
21 reductions made pursuant to this section. A decision by a school  
22 district to reduce funding pursuant to this section for a  
23 state-mandated local program shall constitute a waiver of the  
24 subvention of funds that the school district is otherwise entitled to  
25 pursuant to Section 6 of Article XIII B of the California  
26 Constitution on the amount so reduced.

27 (2) (A) As a condition of receipt of funds, the governing board  
28 of the school district or *governing* board of the county office of  
29 education, as appropriate, at a regularly scheduled open public  
30 hearing shall take testimony from the public, discuss, approve or  
31 disapprove the proposed use of funding, and make explicit for each  
32 of the budget items in paragraph (2) of subdivision (a) the purposes  
33 for which the funds will be used.

34 (B) *The regularly scheduled open public hearing held pursuant*  
35 *to subparagraph (A) shall be held prior to and independent of a*  
36 *meeting where the governing board of the school district or*  
37 *governing board of the county office of education adopts a budget.*  
38 *If the governing board intends to close a program funded by the*  
39 *items listed in paragraph (2) of subdivision (a), the governing*  
40 *board shall identify, in the notice of the agenda of the public*

1 *hearing or at another public hearing, the program or programs*  
2 *proposed to be closed.*

3 (3) (A) Using the Standardized Account Code Structure  
4 reporting process, a local educational agency shall report  
5 expenditures of funds pursuant to the authority of this section by  
6 using the appropriate function codes to indicate the activities for  
7 which these funds are expended. The department shall collect and  
8 provide this information to the Department of Finance and the  
9 appropriate policy and budget committees of the Legislature by  
10 April 15, 2010, and annually thereafter on April 15 until, and  
11 including, April 15, 2016.

12 (B) *The information collected pursuant to subparagraph (A)*  
13 *shall be collected and provided in a manner that displays the*  
14 *linkage between a local educational agency's allocation of each*  
15 *item listed in paragraph (2) of subdivision (a) and the local*  
16 *educational agency's expenditure of those funds.*

17 (d) For the 2008–09 fiscal year to the 2014–15 fiscal year,  
18 inclusive, local educational agencies that use the flexibility  
19 provision of this section shall be deemed to be in compliance with  
20 the program and funding requirements contained in statutory,  
21 regulatory, and provisional language, associated with the items  
22 enumerated in subdivision (a).

23 (e) Notwithstanding subdivision (d), the following requirements  
24 shall continue to apply:

25 (1) For Item 6110-105-0001 of Section 2.00 of the annual  
26 Budget Act, the amount authorized for flexibility shall exclude the  
27 funding provided to fund remedial educational services pursuant  
28 to Provision 4. For Item 6110-156-0001 of Section 2.00 of the  
29 annual Budget Act, the amount authorized for flexibility shall  
30 exclude the funding provided for instruction of CalWORKs-eligible  
31 students pursuant to Schedules (2) and (3) and Provisions 2 and  
32 4.

33 (2) (A) Any instructional materials purchased by a local  
34 educational agency shall be the materials adopted by the state  
35 board for kindergarten and grades 1 to 8, inclusive, and for grades  
36 9 to 12, inclusive, the materials purchased shall be aligned with  
37 state standards as defined by Section 60605, and shall also meet  
38 the reporting and sufficiency requirements contained in Section  
39 60119.

1 (B) For purposes of this section, “sufficiency” means that each  
2 pupil has sufficient textbooks and instructional materials in the  
3 four core areas as defined by Section 60119 and that all pupils  
4 within the local educational agency who are enrolled in the same  
5 course shall have identical textbooks and instructional materials,  
6 as specified in Section 1240.3.

7 (3) For Item 6110-195-0001 of Section 2.00 of the annual  
8 Budget Act, the item shall exclude moneys that are required to  
9 fund awards for teachers that have previously met the requirements  
10 necessary to obtain these awards, until the award is paid in full.

11 (4) For Item 6110-266-0001 of Section 2.00 of the annual  
12 Budget Act, a county office of education shall conduct at least one  
13 site visit to each of the required schoolsites pursuant to Section  
14 1240 and shall fulfill all of the duties set forth in Sections 1240  
15 and 44258.9.

16 (5) For Item 6110-198-0001 of Section 2.00 of the annual  
17 Budget Act, a school district or county office of education that  
18 operates the child care component of the Cal-SAFE program shall  
19 comply with paragraphs (5) and (6) of subdivision (c) of Section  
20 54746.

21 (f) This section does not invalidate any state law pertaining to  
22 teacher credentialing requirements or the functions that require  
23 credentials.

24 SEC. 2. Section 52612 of the Education Code is amended to  
25 read:

26 52612. (a) Except as specified in this section, the governing  
27 board of the *school* district maintaining the class may require an  
28 adult enrolled in a class for adults to pay a fee for the class. *Except*  
29 *as specified in Section 52613, the governing board of a school*  
30 *district shall not impose a charge of any kind for a class in English*  
31 *and citizenship or a class in an elementary subject. A fee charge*  
32 *shall not be made for a class designated by the governing board*  
33 *as a class for which high school credit is granted when the class*  
34 *is taken by a person who does not hold a high school diploma. The*  
35 *total of the fees required and revenues derived from average daily*  
36 *attendance shall not exceed the estimated cost of all such classes*  
37 *maintained, including the reserves authorized by Section 52501.5.*

38 (b) All textbooks and classroom materials furnished without  
39 charge under this section may also be offered for sale at the school  
40 bookstore.

- 1     *(c) Notwithstanding subdivision (a), the governing board of a*
- 2     *school district may charge a fee for a class in English and*
- 3     *citizenship or a class in an elementary subject until July 1, 2015.*