

AMENDED IN SENATE FEBRUARY 22, 2011

CALIFORNIA LEGISLATURE—2011–12 FIRST EXTRAORDINARY SESSION

SENATE BILL

No. 1

Introduced by Senator Steinberg
(Principal coauthor: Senator Alquist)
(Coauthors: Senators Hancock, Liu, Lowenthal, and Vargas)
(Coauthor: Assembly Member Solorio)

February 1, 2011

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 1, as amended, Steinberg. Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.

(1) 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~~ *Programs* Account, upon

appropriation by the Legislature, to the Superintendent of Public Instruction for expenditure in the form of grants to school districts to be allocated pursuant to the existing provisions for creating and maintaining partnership academies. The bill would require ~~a grantee~~ *the Superintendent to award grants, as specified, to school districts that propose 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, *no later than 60 days after the effective date of these provisions*, in consultation with the State Department of Education, to ~~develop~~ *adopt* guidelines, ~~which that would be exempted from required to comply with the Administrative Procedure Act, but may be adopted as emergency regulations,~~ 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 Superintendent, 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, 2017, and, as of January 1, 2018, would repeal these provisions.

(2) The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. Governor Schwarzenegger issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on December 6, 2010. Governor Brown issued a proclamation on January 20, 2011, declaring and reaffirming that a fiscal emergency exists and stating that his proclamation supersedes the earlier proclamation for purposes of that constitutional provision.

This bill would state that it addresses the fiscal emergency declared and reaffirmed by the Governor by proclamation issued on January 20, 2011, pursuant to the California Constitution.

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

4

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

8

9 54698. (a) The Legislature finds and declares all of the
10 following:

11 (1) California’s international leadership in renewable energy,
12 energy conservation, clean technology, and climate change policies
13 creates significant opportunities to improve workforce development
14 and educational opportunities for high school pupils in the fields
15 of energy conservation, clean technology, and renewable energy.

16 (2) California has an opportunity to combine the education and
17 training of both its future college-educated workforce and its highly
18 skilled technical workforce with its effort to reduce high school
19 dropout rates. Clean technology jobs and renewable energy jobs
20 (“green collar jobs”) can provide underserved communities with
21 a pathway out of poverty, a new and inspiring focus for educational
22 institutions, and significant statewide economic and environmental
23 benefits.

24 (3) A poll of at-risk California 9th and 10th graders by Peter D.
25 Hart Research Associates found that ~~six~~ 6 in 10 pupils were not
26 motivated to succeed in school. Of those pupils, more than 90
27 percent said they would be more engaged in their education if
28 classes helped them acquire skills and knowledge relevant to future
29 careers. Career technical education programs that create paths to
30 further education, advanced training, or productive jobs in high
31 opportunity careers can keep pupils engaged and on track toward
32 a diploma.

1 (4) Investments in delivering pupils the skills and knowledge
2 needed for further education and employment in industries that
3 focus on renewable energy, energy conservation, clean
4 technologies, and climate change mitigation will provide multiple
5 benefits to California in all of the following ways:
6 (A) Helping to achieve the state’s climate change goals required
7 by the California Global Warming Solutions Act of 2006 (Division
8 25.5 (commencing with Section 38500) of the Health and Safety
9 Code).
10 (B) Creating employment opportunities for Californians that
11 would otherwise not be fully realized.
12 (C) Expanding the state’s utilization of renewable energy.
13 (D) Contributing to the growth of clean technology businesses
14 in California.
15 (5) Absent action, California will miss an opportunity to curtail
16 high school dropout and joblessness rates among its young people
17 and will perpetuate the lack of an integrated education, workforce
18 development, and business infrastructure that otherwise could take
19 advantage of the projected growth in these industries and the
20 corresponding increase in state and local taxes, other public
21 revenues, and additional economic benefits associated with a likely
22 surge in clean technology and renewable energy jobs.
23 (6) California must prioritize the reduction of high school
24 dropout and joblessness rates among its young people. It must also
25 ensure that pupils have pathways to careers that will help achieve
26 its greenhouse gas reduction goals and contribute to the
27 development of its renewable energy resources.
28 (b) It is the intent of the Legislature to stimulate the economy
29 of the State of California by creating partnership academies that
30 will lead to the creation of good paying jobs in industries and
31 businesses that are in compliance with the state’s environmental
32 protection laws and regulations, providing entrepreneurs and
33 employers the best-trained workforce in the United States, and
34 preparing young people to work in clean, green industries and
35 professions. These jobs would help achieve California’s climate
36 change mitigation obligations and conserve our state’s vital
37 resources of water, air quality, land, and energy.
38 54698.1. As used in this article, the following terms have the
39 following meanings:

1 (a) “Clean technology business” means a business that focuses
2 on one or more of the following:

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

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

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

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

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

15 (6) The manufacture, sale, assembly, installation, construction,
16 and maintenance of energy-efficient technologies and renewable
17 energy facilities or the component parts of renewable energy
18 technologies.

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

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

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

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

35 (2) Power storage.

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

1 54699. (a) The Controller shall annually allocate the sum of
 2 eight million dollars (\$8,000,000) from the Energy Resources
 3 ~~Program~~ *Programs* Account, upon appropriation by the Legislature,
 4 to the Superintendent for expenditure in the form of grants to
 5 school districts, that shall be allocated using the same criteria as
 6 provided in Article 5 (commencing with Section 54690), except
 7 as provided in subdivision (b) of Section 54691, and pursuant to
 8 the additional requirements of this article.

9 (b) ~~In addition to~~ *The Superintendent shall award grants*
 10 *pursuant to this article to school districts that do all of the*
 11 *following:*

12 (1) *Meet* the requirements specified in Article 5 (commencing
 13 with Section ~~54690~~), ~~a school district applying for a grant shall~~
 14 ~~propose 54690~~).

15 (2) *Propose* to implement a partnership academy, or to maintain
 16 an existing academy, that focuses on employment in clean
 17 technology businesses or renewable energy businesses and provides
 18 skilled workforces for the products and services for energy or water
 19 conservation, or both, renewable energy, pollution reduction, or
 20 other technologies that improve the environment in furtherance of
 21 state environmental laws.

22 (3) *Comply with the guidelines described in subdivision (e).*

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

26 (d) The Superintendent, in consultation with the State Energy
 27 Resources Conservation and Development Commission, shall
 28 review ongoing programs to ensure that those programs ~~are~~
 29 ~~consistent with current state energy policies and priorities.~~ *comply*
 30 *with subdivision (b).*

31 (e) (1) ~~The~~ *No later than 60 days after the effective date of this*
 32 *article, and prior to the department issuing a request for grant*
 33 *applications, the State Energy Resources Conservation and*
 34 *Development Commission, in consultation with the department,*
 35 *shall develop adopt* guidelines to ensure that programs receiving
 36 grants reflect current state energy policies and priorities as well
 37 as provide skills and education linked to the needs of relevant
 38 industries.

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

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

4 ~~(4) Notwithstanding any other law,~~

5 (2) ~~The~~ guidelines adopted pursuant to this article shall be
6 ~~exempt from~~ *comply with* the requirements of Chapter 3.5
7 (commencing with Section 11340) of Part 1 of Division 3 of Title
8 2 of the Government Code, *but may be adopted as emergency*
9 *regulations pursuant to Section 11346.1 of the Government Code.*

10 (f) (1) The Superintendent shall give first priority for grants
11 pursuant to this article to school districts that propose to establish
12 a partnership academy at schoolsites that do not currently
13 participate in the partnership academies program pursuant to Article
14 5 (commencing with Section 54690) and shall give second priority
15 to school districts that would establish a partnership academy at
16 schoolsites that do not currently participate in the green partnership
17 academies program funded pursuant to Section 32 of Chapter 757
18 of the Statutes of 2008.

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

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

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

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

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

7 (3) For purposes of this section, "qualified student" has the same
8 meaning as described in subdivision (c) of Section 54691, but shall
9 also include a 9th grade pupil who meets the at-risk criteria
10 specified in Section 54690, who is enrolled in an academy for the
11 9th grade, obtains 90 percent of the credits each academic year in
12 courses that are required for graduation, and successfully completes
13 a school year during the 9th grade with an attendance record of
14 not less than 80 percent.

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

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

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

26 (j) Commencing in 2013 and not later than January 1 of each
27 year for which this article is operative, the Superintendent, in
28 consultation with the State Energy Resources Conservation and
29 Development Commission, shall provide a report to the Legislature
30 that includes, but is not limited to, a description of the curriculum
31 and substance of the programs funded by grants awarded pursuant
32 to this article. The first annual report shall include the identification
33 of gaps in available curricula relating to clean technology and
34 renewable energy that are consistent with current state energy
35 policy and priorities. Commencing in 2014, the report also shall
36 include pupil participation data and data collected for purposes of
37 academy certification under subdivision (e) of Section 54691.

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

1 54699.1. This article shall become inoperative on June 30,
2 2017, and, as of January 1, 2018, is repealed, unless a later enacted
3 statute, that becomes operative on or before January 1, 2018,
4 deletes or extends the dates on which it becomes inoperative and
5 is repealed.

6 SEC. 2. This act addresses the fiscal emergency declared and
7 reaffirmed by the Governor by proclamation on January 20, 2011,
8 pursuant to subdivision (f) of Section 10 of Article IV of the
9 California Constitution.

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