

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 348

Introduced by Assembly Member Conway

February 13, 2013

An act to ~~amend Section 41601.7~~ *add and repeal Section 42283.5* of the Education Code, relating to ~~high~~ school finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 348, as amended, Conway. School finance: necessary small ~~schools~~: *Hot Springs Elementary School District.*

(1) *Existing law requires the county superintendent of schools to make certain computations for each necessary small school of each school district with less than 2,501 units of 2nd principal apportionment average daily attendance.*

This bill would, until July 1, 2018, deem Hot Springs Elementary School and Johnsondale Elementary School, which are within the Hot Springs Elementary School District, necessary small schools. The bill would, instead of the necessary small schools apportionment, apportion \$150,000 each fiscal year to the Hot Springs Elementary School District for those 2 schools in addition to the amount per unit of average daily attendance received by the school district and calculated, as specified, if either school does not exceed 28 units of average daily attendance in any fiscal year.

(2) *This bill would make legislative findings and declarations as to the necessity of a special statute for Hot Springs Elementary School District.*

~~Existing law authorizes a school district with an increase or decrease in the number of units of average daily attendance at a necessary small~~

~~high school from the second principal apportionment to the annual apportionment to request the county superintendent of schools to adjust the school district's revenue limit or block grant by utilizing the units of average daily attendance for the annual apportionment for the necessary small high school in lieu of the units of average daily attendance for the second principal apportionment if specified conditions are met.~~

~~This bill would make nonsubstantive changes to this provision.~~

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

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

1 SECTION 1. Section 42283.5 is added to the Education Code,
 2 to read:
 3 42283.5. (a) Notwithstanding any provision of this article or
 4 any other law, Hot Springs Elementary School and Johnsondale
 5 Elementary School, which are within the Hot Springs Elementary
 6 School District, each shall be deemed a necessary small school,
 7 as defined in Section 42283. Instead of the amount calculated for
 8 necessary small schools, and in addition to the amount per unit
 9 of average daily attendance received by the Hot Springs
 10 Elementary School District, as calculated pursuant to Article 2
 11 (commencing with Section 42238), the Hot Springs Elementary
 12 School District shall receive in each fiscal year, commencing with
 13 the 2012–13 fiscal year, a seventy-five-thousand-dollar (\$75,000)
 14 apportionment for Hot Springs Elementary School and a
 15 seventy-five-thousand-dollar (\$75,000) apportionment for
 16 Johnsondale Elementary School.
 17 (b) If Hot Springs Elementary School or Johnsondale
 18 Elementary School exceeds 28 units of average daily attendance
 19 in a fiscal year, the school is no longer entitled to receive the
 20 apportionments set forth in subdivision (a).
 21 (c) This section shall become inoperative on July 1, 2018, and,
 22 as of January 1, 2019, is repealed, unless a later enacted statute,
 23 that becomes operative on or before January 1, 2019, deletes or
 24 extends the dates on which it becomes inoperative and is repealed.
 25 SEC. 2. The Legislature finds and declares that a special law
 26 is necessary and that a general law cannot be made applicable
 27 within the meaning of Section 16 of Article IV of the California

1 *Constitution because of the unique circumstances of the Hot*
2 *Springs Elementary School District.*

3 ~~SECTION 1. Section 41601.7 of the Education Code is~~
4 ~~amended to read:~~

5 ~~41601.7. A school district with an increase or decrease in the~~
6 ~~number of units of average daily attendance at a necessary small~~
7 ~~high school from the second principal apportionment to the annual~~
8 ~~apportionment may request the county superintendent of schools~~
9 ~~to adjust the school district's revenue limit or block grant by using~~
10 ~~the units of average daily attendance for the annual apportionment~~
11 ~~for the necessary small high school in lieu of the units of average~~
12 ~~daily attendance for the second principal apportionment. To qualify~~
13 ~~for this adjustment, the following conditions shall be met:~~

14 ~~(1) The increase or decrease in the units of average daily~~
15 ~~attendance between the two periods at the necessary small high~~
16 ~~school shall be equal to or greater than 15 percent and such increase~~
17 ~~or decrease shall be attributable to pupils attending a necessary~~
18 ~~small high school that provides a program of education with~~
19 ~~individualized instruction in a residential setting at an institution~~
20 ~~for pupils who have been placed in foster care for rehabilitation~~
21 ~~purposes pursuant to Chapter 2 (commencing with Section 200)~~
22 ~~of Part 1 of Division 2 of the Welfare and Institutions Code.~~

23 ~~(2) The school district reimburses the county superintendent of~~
24 ~~schools for the administrative costs of making the adjustment~~
25 ~~prescribed by this section.~~