

AMENDED IN ASSEMBLY APRIL 9, 2013  
AMENDED IN ASSEMBLY MARCH 19, 2013  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 470**

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**Introduced by Assembly Member Mullin**

February 19, 2013

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An act to amend Sections 42605 and 44279.2 of, and to repeal Section 41514 of, the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 470, as amended, Mullin. Schools: school safety and teacher training.

(1) Existing law establishes the school safety consolidated competitive grant, requires the funding for the school safety consolidated competitive grant to include funding previously apportioned to school districts for carrying out the purposes of specified programs, and requires funds appropriated for purposes of the school safety consolidated competitive grant to be available for encumbrance for 5 years from the date of appropriation.

This bill would repeal the provision requiring funds appropriated for purposes of the school safety consolidated competitive grant to be available for encumbrance for 5 years from the date of appropriation.

(2) 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 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 relative proportion that the

local educational agency received in the 2008–09 fiscal year for those programs and authorizes the local educational agency, for those fiscal years, to use these funds, with specified exceptions, for any educational purpose, to the extent permitted by federal law.

This bill would remove the ~~school safety block grant and the school safety consolidated competitive~~ *teacher credentialing block grant* from the list of categorical education programs for which their funding may be used for any educational purpose. *The bill would, from moneys annually appropriated for the school safety consolidated competitive grant, require \$321,000 of those moneys to be used for certain purposes related to the Interagency School Safety Demonstration Act of 1985.*

(3) Existing law establishes the California Beginning Teacher Support and Assessment System, which is jointly administered by the Superintendent of Public Instruction and the Commission on Teacher Credentialing. In administering the California Beginning Teacher Support and Assessment System, existing law requires the Superintendent and the commission to provide or contract for, among other things, establishing requirements for reviewing and approving teacher induction programs. *Existing law requires a school district or consortium of school districts that apply to the Superintendent for funding to establish a local teacher induction program to meet specified requirements.*

This bill, for purposes of the California Beginning Teacher Support and Assessment System, also would require the Superintendent and the commission to provide or contract for ~~performing onsite reviews for all approved teacher induction programs at least every 5 years,~~ implementing high-quality teacher induction programs per specified certification criteria; and enforcing each teacher induction program's standards to meet state standards. *The bill would require the Superintendent to conduct onsite reviews of all approved teacher induction programs at least once every 4 years, as a midpoint review to the accreditation process currently conducted by the commission every 7 years. The bill would require the onsite reviews to be conducted in consultation with the commission as specified, and would require the Superintendent to make results of the onsite reviews available to the commission. The bill would require a school district or consortium of school districts that apply to the Superintendent for funding to establish a local teacher induction program to meet the additional requirement to not charge beginning teachers to participate in the teacher induction program.*

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 41514 of the Education Code is repealed.  
2 SEC. 2. Section 42605 of the Education Code is amended to  
3 read:  
4 42605. (a) (1) Unless otherwise prohibited under federal law  
5 or otherwise specified in subdivision (e), for the 2008–09 fiscal  
6 year to the 2014–15 fiscal year, inclusive, recipients of funds from  
7 the items listed in paragraph (2) may use funding received, pursuant  
8 to subdivision (b), from any of these items listed in paragraph (2)  
9 that are contained in Section 2.00 of the annual Budget Act, for  
10 any educational purpose.  
11 (2) Items 6110-104-0001, 6110-105-0001, 6110-108-0001,  
12 6110-122-0001, 6110-124-0001, 6110-137-0001, 6110-144-0001,  
13 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-181-0001,  
14 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001,  
15 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001,  
16 6110-209-0001, 6110-211-0001, 6110-227-0001, ~~6110-228-0001~~,  
17 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001,  
18 ~~6110-244-0001~~, 6110-245-0001, 6110-246-0001, 6110-247-0001,  
19 ~~6110-248-0001~~, 6110-260-0001, 6110-265-0001, 6110-266-0001,  
20 6110-267-0001, 6110-268-0001, and 6360-101-0001 of Section  
21 2.00.  
22 (b) (1) For the 2009–10 fiscal year to the 2014–15 fiscal year,  
23 inclusive, the Superintendent or other administering state agency,  
24 as appropriate, shall apportion from the amounts provided in the  
25 annual Budget Act for the items enumerated in paragraph (2) of  
26 subdivision (a) an amount to recipients based on the same relative  
27 proportion that the recipient received in the 2008–09 fiscal year  
28 for the programs funded through the items enumerated in paragraph  
29 (2) of subdivision (a).  
30 (2) This section and Section 42 of Chapter 12 of the Third  
31 Extraordinary Session of the Statutes of 2009 do not authorize a  
32 school district that receives funding on behalf of a charter school  
33 pursuant to Sections 47634.1 and 47651 to redirect this funding  
34 for another purpose unless otherwise authorized in law or pursuant  
35 to an agreement between a charter school and its chartering

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

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

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

37 (5) For purposes of paragraph (4), if a direct-funded charter  
 38 school began operation in the 2008–09 fiscal year, the amount that  
 39 the charter school was entitled to receive from the items  
 40 enumerated in paragraph (4) for the 2008–09 fiscal year, as certified

1 by the Superintendent in March 2009, is deemed to have been  
2 received in the 2007–08 fiscal year.

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

10 (2) (A) As a condition of receipt of funds, the governing board  
11 of the school district or governing board of the county office of  
12 education, as appropriate, at a regularly scheduled open public  
13 hearing shall take testimony from the public, discuss, approve or  
14 disapprove the proposed use of funding, and make explicit for each  
15 of the budget items in paragraph (2) of subdivision (a) the purposes  
16 for which the funds will be used.

17 (B) The regularly scheduled open public hearing held pursuant  
18 to subparagraph (A) shall be held before and independent of a  
19 meeting where the governing board of the school district or  
20 governing board of the county office of education adopts a budget.  
21 If the governing board intends to close a program funded by the  
22 items listed in paragraph (2) of subdivision (a), the governing board  
23 shall identify, in the notice of the agenda of the public hearing or  
24 at another public hearing, the program or programs proposed to  
25 be closed.

26 (3) Using the Standardized Account Code Structure reporting  
27 process, a local educational agency shall report expenditures of  
28 funds pursuant to the authority of this section by using the  
29 appropriate function codes to indicate the activities for which these  
30 funds are expended. The department shall collect and provide this  
31 information to the Department of Finance and the appropriate  
32 policy and budget committees of the Legislature by April 15, 2010,  
33 and annually thereafter on April 15 until, and including, April 15,  
34 2016.

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

1 (e) Notwithstanding subdivision (d), the following requirements  
2 shall continue to apply:

3 (1) For Item 6110-105-0001 of Section 2.00 of the annual  
4 Budget Act, the amount authorized for flexibility shall exclude the  
5 funding provided to fund remedial educational services pursuant  
6 to Provision 4. For Item 6110-156-0001 of Section 2.00 of the  
7 annual Budget Act, the amount authorized for flexibility shall  
8 exclude the funding provided for instruction of CalWORKs-eligible  
9 pupils pursuant to Schedules (2) and (3) and Provisions 2 and 4.

10 (2) (A) Any instructional materials purchased by a local  
11 educational agency for kindergarten and grades 1 to 8, inclusive,  
12 and for grades 9 to 12, inclusive, shall be aligned with the state  
13 standards adopted pursuant to Section 60605 or 60605.8, and shall  
14 also meet the reporting and sufficiency requirements contained in  
15 Section 60119.

16 (B) For purposes of this section, “sufficiency requirements” are  
17 the requirements that each pupil has sufficient textbooks and  
18 instructional materials in the four core areas as defined by Section  
19 60119 and that all pupils within the local educational agency who  
20 are enrolled in the same course shall have identical textbooks and  
21 instructional materials, as specified in Section 1240.3.

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

26 (4) For Item 6110-266-0001 of Section 2.00 of the annual  
27 Budget Act, a county office of education shall conduct at least one  
28 site visit to each of the required schoolsites pursuant to Section  
29 1240 and shall fulfill all of the duties set forth in Sections 1240  
30 and 44258.9.

31 (5) For Item 6110-198-0001 of Section 2.00 of the annual  
32 Budget Act, a school district or county office of education that  
33 operates the child care component of the Cal-SAFE program shall  
34 comply with paragraphs (5) and (6) of subdivision (c) of Section  
35 54746.

36 (f) *Notwithstanding paragraph (1) of subdivision (a), from the*  
37 *amounts appropriated for Item 6110-248-0001 of Section 2.00 of*  
38 *the annual Budget Act, three hundred twenty-one thousand dollars*  
39 *(\$321,000) shall be apportioned for the strategies, programs, and*  
40 *activities described in subdivision (d) of Section 32261.*

1     ~~(f)~~

2     (g) This section does not invalidate any state law pertaining to  
3 teacher credentialing requirements or the functions that require  
4 credentials.

5     SEC. 3. Section 44279.2 of the Education Code is amended to  
6 read:

7     44279.2. (a) The Superintendent and the commission shall  
8 jointly administer the California Beginning Teacher Support and  
9 Assessment System pursuant to this chapter. In administering this  
10 section, the Superintendent and the commission shall provide or  
11 contract for the provision of all of the following:

12     (1) Establishing requirements for reviewing and approving  
13 teacher induction programs.

14     (2) Developing and administering a system for ensuring teacher  
15 induction program quality and effectiveness. For purposes of this  
16 section, “program effectiveness” means producing excellent  
17 program outcomes in relation to the purposes defined in subdivision  
18 (b) of Section 44279.1. For purposes of this section, “program  
19 quality” means excellence with respect to program factors,  
20 including, but not limited to, all of the following:

21     (A) Program goals.

22     (B) Design resources.

23     (C) Management, evaluation, and improvement of the program.

24     (D) School context and working conditions.

25     (E) Support and assessment services to each beginning teacher.

26     (3) Developing purposes and functions for reviewing and  
27 approving supplemental grants and standards for program clusters  
28 and program consultants, as defined pursuant to Section 44279.7.

29     (4) Improving and refining the formative assessment system.

30     (5) Improving and refining professional development materials  
31 and strategies for all personnel involved in implementing induction  
32 programs.

33     (6) Conducting and tracking research related to beginning  
34 teacher induction.

35     (7) Periodically evaluating the validity of the California  
36 Standards for the Teaching Profession adopted by the commission  
37 and the Standards of Quality and Effectiveness for Beginning  
38 Teacher Support and Assessment Program adopted by the  
39 commission and making changes to those documents, as necessary.

1 ~~(8) Performing onsite reviews for all approved teacher induction~~  
2 ~~programs at least every five years.~~

3 ~~(9)~~

4 (8) Notwithstanding Section 42605, implementing high-quality  
5 teacher induction programs per certification criteria, pursuant to  
6 subdivision (b) of Section 44279.1 and subdivision (e) of Section  
7 44279.25, and enforcing each teacher induction program's  
8 standards to meet state standards.

9 *(b) The Superintendent shall conduct onsite reviews of all*  
10 *approved teacher induction programs at least once every four*  
11 *years, as a midpoint review to the accreditation process currently*  
12 *conducted by the commission every seven years. The onsite review*  
13 *shall be conducted in consultation with the commission on selected*  
14 *elements of the teacher induction program and a complete fiscal*  
15 *review. The Superintendent shall make the results of onsite reviews*  
16 *available to the commission.*

17 ~~(b)~~

18 (c) As part of the California Beginning Teacher Support and  
19 Assessment System, the commission and the Superintendent shall  
20 establish requirements for local teacher induction programs.

21 ~~(e)~~

22 (d) A school district or consortium of school districts may apply  
23 to the Superintendent for funding to establish a local teacher  
24 induction program pursuant to this section. From amounts  
25 appropriated for purposes of this section, the Superintendent shall  
26 allocate three thousand dollars (\$3,000) for each beginning teacher  
27 participating in the program. That amount shall be adjusted each  
28 fiscal year by the inflation factor set forth in Section 42238.1. To  
29 be eligible to receive funding, a school district or consortium of  
30 school districts shall, at a minimum, meet all of the following  
31 requirements:

32 (1) Develop, implement, and evaluate teacher induction  
33 programs that meet the Quality and Effectiveness for Beginning  
34 Teacher Induction Program Standards adopted by the commission.

35 (2) Support beginning teachers in meeting the competencies  
36 described in the California Standards for the Teaching Profession  
37 adopted by the commission.

38 (3) Meet criteria for the cost-effective delivery of program  
39 services.

1 (4) From amounts received from local, state, or resources  
2 available for purposes of teacher induction programs, contribute  
3 not less than two thousand dollars (\$2,000) for the costs of each  
4 beginning teacher served in the induction program.

5 (5) *Not charge beginning teachers to participate in the teacher*  
6 *induction program.*

7 ~~(d)~~

8 (e) Teachers who have received their preliminary credential in  
9 a district intern program pursuant to Article 7.5 (commencing with  
10 Section 44325) or an intern program pursuant to Article 3  
11 (commencing with Section 44450) of Chapter 3 and who are  
12 participating in an induction program pursuant to this section are  
13 not eligible for funding pursuant to Article 11 (commencing with  
14 Section 44380).

O