

AMENDED IN ASSEMBLY JANUARY 16, 2014

AMENDED IN ASSEMBLY JANUARY 6, 2014

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1264

**Introduced by Assembly Member Conway
(Coauthors: Assembly Members Achadjian, Beth Gaines, Gorell,
Hagman, Harkey, Morrell, and Nestande)**

February 22, 2013

An act to amend Sections 32281; *and* 32282; ~~and 41020~~ of the Education Code, relating to school safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1264, as amended, Conway. Comprehensive school safety plans: tactical response plans.

(1) Existing law provides that school districts and county offices of education are responsible for the overall development of comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires the schoolsite council of a school to write and develop a school safety plan relevant to the needs and resources of the particular school, except as specified with regard to a small school district. Existing law requires the school safety plan to include specified strategies and programs that will provide or maintain a high level of school safety. Existing law authorizes a school district or county office of education to elect to not have its schoolsite council develop and write portions of its school safety plan that include tactical responses to criminal incidents, as defined, and instead develop those portions of the school safety plan with law enforcement officials

and other specified persons. *Existing law requires any vote to approve the tactical response plan to be announced in open session following a closed session.* Existing law provides certain protections from disclosure for this tactical response plan.

This bill would require a comprehensive school safety plan to include a tactical response plan, and would revise the definition of “tactical responses to criminal incidents” to include a plan to safeguard against incidents that include a firearm, explosive, or other deadly weapon. The bill would ~~require a school district or county office of education to publicly announce its adoption or update of a tactical response plan, but would not require the school to disclose those portions of the plan that may be kept private pursuant to existing law~~ *require any vote to approve or update the tactical response plan to be announced in open session following a closed session.* *The bill would prohibit the governing board of a school district or a county office of education from being required to disclose those portions of the tactical response plan that may be kept private.*

~~(2) Existing law requires a county superintendent of schools to provide for an audit of all funds under his or her jurisdiction, and requires the governing board of a local educational agency to either provide for an audit of the books and accounts of the local educational agency or make arrangements with the county superintendent of schools having jurisdiction over the local educational agency to provide for that auditing. Existing law requires a county superintendent of schools to be responsible for reviewing the audit exceptions contained in an audit of a local educational agency under his or her jurisdiction related to specified topics, and determining whether the exceptions were either corrected or an acceptable plan of correction was developed. Existing law requires the county office of education to review certain audit exceptions upon submission and receipt of a final audit report. Existing law requires the Superintendent of Public Instruction to be responsible for ensuring that local educational agencies have either corrected or developed plans of correction for specified audit exceptions.~~

This bill, commencing with the 2015–16 fiscal year, would require the auditor to include in the audit report a summary of the extent to which a local educational agency has complied with the requirement that each of its schools develop a comprehensive school safety plan.

(3)

(2) By requiring school districts and county offices of education to perform additional duties in regards to their comprehensive school safety plans, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 32281 of the Education Code is amended
2 to read:
3 32281. (a) Each school district and county office of education
4 is responsible for the overall development of all comprehensive
5 school safety plans for its schools operating kindergarten or any
6 of grades 1 to 12, inclusive.
7 (b) (1) Except as provided in subdivision (d), the schoolsite
8 council established pursuant to former Section 52012, as it existed
9 before July 1, 2005, or Section 52852 shall write and develop a
10 comprehensive school safety plan relevant to the needs and
11 resources of that particular school.
12 (2) The schoolsite council may delegate this responsibility to a
13 school safety planning committee made up of the following
14 members:
15 (A) The principal or the principal’s designee.
16 (B) One teacher who is a representative of the recognized
17 certificated employee organization.
18 (C) One parent whose child attends the school.
19 (D) One classified employee who is a representative of the
20 recognized classified employee organization.
21 (E) Other members, if desired.
22 (3) The schoolsite council shall consult with a representative
23 from a law enforcement agency in the writing and development
24 of the comprehensive school safety plan.

1 (4) In the absence of a schoolsite council, the members specified
 2 in paragraph (2) shall serve as the school safety planning
 3 committee.

4 (c) Nothing in this article shall limit or take away the authority
 5 of school boards as guaranteed under this code.

6 (d) (1) Subdivision (b) shall not apply to a small school district,
 7 as defined in paragraph (2), if the small school district develops a
 8 districtwide comprehensive school safety plan that is applicable
 9 to each schoolsite.

10 (2) As used in this article, “small school district” means a school
 11 district that has fewer than 2,501 units of average daily attendance
 12 at the beginning of each fiscal year.

13 (e) (1) When a principal or his or her designee verifies through
 14 local law enforcement officials that a report has been filed of the
 15 occurrence of a violent crime on the schoolsite of an elementary
 16 or secondary school at which he or she is the principal, the principal
 17 or the principal’s designee may send to each pupil’s parent or legal
 18 guardian and each school employee a written notice of the
 19 occurrence and general nature of the crime. If the principal or his
 20 or her designee chooses to send the written notice, the Legislature
 21 encourages the notice be sent no later than the end of business on
 22 the second regular work day after the verification. If, at the time
 23 of verification, local law enforcement officials determine that
 24 notification of the violent crime would hinder an ongoing
 25 investigation, the notification authorized by this subdivision shall
 26 be made within a reasonable period of time, to be determined by
 27 the local law enforcement agency and the school district. For
 28 purposes of this section, an act that is considered a “violent crime”
 29 shall meet the definition of Section 67381 and be an act for which
 30 a pupil could or would be expelled pursuant to Section 48915.

31 (2) Nothing in this subdivision shall create any liability in a
 32 school district or its employees for complying with paragraph (1).

33 (f) (1) Notwithstanding subdivision (b), a school district or
 34 county office of education may, in consultation with law
 35 enforcement officials, elect to not have its schoolsite council
 36 develop and write those portions of its comprehensive school safety
 37 plan that include tactical responses to criminal incidents that may
 38 result in death or serious bodily injury at the schoolsite. The
 39 portions of a school safety plan that include tactical responses to
 40 criminal incidents may be developed by administrators of the

1 school district or county office of education in consultation with
2 law enforcement officials and with a representative of an exclusive
3 bargaining unit of employees of that school district or county office
4 of education, if he or she chooses to participate. The school district
5 or county office of education may elect not to disclose those
6 portions of the comprehensive school safety plan that include
7 tactical responses to criminal incidents.

8 (2) As used in this article, “tactical responses to criminal
9 incidents” means steps taken to safeguard pupils and staff, to secure
10 the affected school premises, and to apprehend the criminal
11 perpetrator or perpetrators, including, but not limited to, a plan to
12 safeguard against incidents that include a firearm, explosive, or
13 other deadly weapon.

14 (3) Nothing in this subdivision precludes the governing board
15 of a school district or county office of education from conferring
16 in a closed session with law enforcement officials pursuant to
17 Section 54957 of the Government Code to approve *or update* a
18 tactical response plan developed in consultation with those officials
19 pursuant to this subdivision. Any vote to approve *or update* the
20 tactical response plan shall be announced in open session following
21 the closed session. *The governing board of a school district or*
22 *county office of education shall not be required to disclose those*
23 *portions of the tactical response plan that may be kept private*
24 *pursuant to this subdivision.*

25 ~~(4) A school district or county office of education shall publicly~~
26 ~~announce its adoption or update of a tactical response plan, but~~
27 ~~shall not be required to disclose those portions of the plan that may~~
28 ~~be kept private pursuant to this subdivision.~~

29 ~~(5)~~

30 (4) Nothing in this subdivision shall be construed to reduce or
31 eliminate the requirements of Section 32282.

32 SEC. 2. Section 32282 of the Education Code is amended to
33 read:

34 32282. (a) The comprehensive school safety plan shall include,
35 but not be limited to, both of the following:

36 (1) Assessing the current status of school crime committed on
37 school campuses and at school-related functions.

38 (2) Identifying appropriate strategies and programs that will
39 provide or maintain a high level of school safety and address the
40 school’s procedures for complying with existing laws related to

1 school safety, which shall include the development of all of the
2 following:

3 (A) Child abuse reporting procedures consistent with Article
4 2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of
5 Part 4 of the Penal Code.

6 (B) Disaster procedures, routine and emergency, including
7 adaptations for pupils with disabilities in accordance with the
8 federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.
9 12101 et seq.). The disaster procedures shall also include, but not
10 be limited to, both of the following:

11 (i) Establishing an earthquake emergency procedure system in
12 every public school building having an occupant capacity of 50
13 or more pupils or more than one classroom. A district or county
14 office may work with the Office of Emergency Services and the
15 Seismic Safety Commission to develop and establish the earthquake
16 emergency procedure system. The system shall include, but not
17 be limited to, all of the following:

18 (I) A school building disaster plan, ready for implementation
19 at any time, for maintaining the safety and care of pupils and staff.

20 (II) A drop procedure whereby each pupil and staff member
21 takes cover under a table or desk, dropping to his or her knees,
22 with the head protected by the arms, and the back to the windows.
23 A drop procedure practice shall be held at least once each school
24 quarter in elementary schools and at least once a semester in
25 secondary schools.

26 (III) Protective measures to be taken before, during, and
27 following an earthquake.

28 (IV) A program to ensure that pupils and both the certificated
29 and classified staff are aware of, and properly trained in, the
30 earthquake emergency procedure system.

31 (ii) Establishing a procedure to allow a public agency, including
32 the American Red Cross, to use school buildings, grounds, and
33 equipment for mass care and welfare shelters during disasters or
34 other emergencies affecting the public health and welfare. The
35 district or county office shall cooperate with the public agency in
36 furnishing and maintaining the services as the district or county
37 office may deem necessary to meet the needs of the community.

38 (C) Policies pursuant to subdivision (d) of Section 48915 for
39 pupils who committed an act listed in subdivision (c) of Section
40 48915 and other school-designated serious acts that would lead to

1 suspension, expulsion, or mandatory expulsion recommendations
2 pursuant to Article 1 (commencing with Section 48900) of Chapter
3 6 of Part 27 of Division 4 of Title 2.

4 (D) Procedures to notify teachers of dangerous pupils pursuant
5 to Section 49079.

6 (E) A discrimination and harassment policy consistent with the
7 prohibition against discrimination contained in Chapter 2
8 (commencing with Section 200) of Part 1.

9 (F) The provisions of any schoolwide dress code, pursuant to
10 Section 35183, that prohibits pupils from wearing “gang-related
11 apparel,” if the school has adopted that type of a dress code. For
12 those purposes, the comprehensive school safety plan shall define
13 “gang-related apparel.” The definition shall be limited to apparel
14 that, if worn or displayed on a school campus, reasonably could
15 be determined to threaten the health and safety of the school
16 environment. Any schoolwide dress code established pursuant to
17 this section and Section 35183 shall be enforced on the school
18 campus and at any school-sponsored activity by the principal of
19 the school or the person designated by the principal. For purposes
20 of this paragraph, “gang-related apparel” shall not be considered
21 a protected form of speech pursuant to Section 48950.

22 (G) Procedures for safe ingress and egress of pupils, parents,
23 and school employees to and from school.

24 (H) A safe and orderly environment conducive to learning at
25 the school.

26 (I) The rules and procedures on school discipline adopted
27 pursuant to Sections 35291 and 35291.5.

28 (J) A tactical response plan as provided for in subdivision (f)
29 of Section 32281.

30 (b) It is the intent of the Legislature that schools develop
31 comprehensive school safety plans using existing resources,
32 including the materials and services of the partnership, pursuant
33 to this chapter. It is also the intent of the Legislature that schools
34 use the handbook developed and distributed by the School/Law
35 Enforcement Partnership Program entitled “Safe Schools: A
36 Planning Guide for Action” in conjunction with developing their
37 plan for school safety.

38 (c) Grants to assist schools in implementing their comprehensive
39 school safety plans shall be made available through the partnership
40 as authorized by Section 32285.

1 (d) Each schoolsite council or school safety planning committee
2 in developing and updating a comprehensive school safety plan
3 shall, where practical, consult, cooperate, and coordinate with
4 other schoolsite councils or school safety planning committees.

5 (e) The comprehensive school safety plan may be evaluated and
6 amended, as needed, by the school safety planning committee, but
7 shall be evaluated at least once a year, to ensure that the
8 comprehensive school safety plan is properly implemented. An
9 updated file of all safety-related plans and materials shall be readily
10 available for inspection by the public.

11 (f) As comprehensive school safety plans are reviewed and
12 updated, the Legislature encourages all plans, to the extent that
13 resources are available, to include policies and procedures aimed
14 at the prevention of bullying.

15 (g) The comprehensive school safety plan, as written and
16 updated by the schoolsite council or school safety planning
17 committee, shall be submitted for approval under subdivision (a)
18 of Section 32288.

19 ~~SEC. 3. Section 41020 of the Education Code is amended to~~
20 ~~read:~~

21 ~~41020. (a) It is the intent of the Legislature to encourage sound~~
22 ~~fiscal management practices among local educational agencies for~~
23 ~~the most efficient and effective use of public funds for the~~
24 ~~education of children in California by strengthening fiscal~~
25 ~~accountability at the school district, county, and state levels.~~

26 ~~(b) (1) Not later than May 1 of each fiscal year, each county~~
27 ~~superintendent of schools shall provide for an audit of all funds~~
28 ~~under his or her jurisdiction and control, and the governing board~~
29 ~~of each local educational agency shall either provide for an audit~~
30 ~~of the books and accounts of the local educational agency,~~
31 ~~including an audit of income and expenditures by source of funds,~~
32 ~~or make arrangements with the county superintendent of schools~~
33 ~~having jurisdiction over the local educational agency to provide~~
34 ~~for that auditing.~~

35 ~~(2) A contract to perform the audit of a local educational agency~~
36 ~~that has a disapproved budget or has received a negative~~
37 ~~certification on any budget or interim financial report during the~~
38 ~~current fiscal year or either of the two preceding fiscal years, or~~
39 ~~for which the county superintendent of schools has otherwise~~
40 ~~determined that a lack of going concern exists, is not valid unless~~

1 approved by the responsible county superintendent of schools and
2 the governing board of the local educational agency.

3 (3) ~~If the governing board of a local educational agency has not
4 provided for an audit of the books and accounts of the local
5 educational agency by April 1, the county superintendent of schools
6 having jurisdiction over the local educational agency shall provide
7 for the audit of each local educational agency.~~

8 (4) ~~An audit conducted pursuant to this section shall comply
9 fully with the Government Auditing Standards issued by the
10 Comptroller General of the United States.~~

11 (5) ~~For purposes of this section, “local educational agency” does
12 not include community colleges.~~

13 (e) ~~Each audit conducted in accordance with this section shall
14 include all funds of the local educational agency, including the
15 student body and cafeteria funds and accounts and any other funds
16 under the control or jurisdiction of the local educational agency.
17 Each audit shall also include an audit of pupil attendance
18 procedures. Each audit shall include a determination of whether
19 funds were expended pursuant to a local control and accountability
20 plan or an approved annual update to a local control and
21 accountability plan pursuant to Article 4.5 (commencing with
22 Section 52060) of Chapter 6.1 of Part 28 of Division 4.~~

23 (d) ~~All audit reports for each fiscal year shall be developed and
24 reported using a format established by the Controller after
25 consultation with the Superintendent and the Director of Finance.~~

26 (e) (1) ~~The cost of the audits provided for by the county
27 superintendent of schools shall be paid from the county school
28 service fund, and the county superintendent of schools shall transfer
29 the pro rata share of the cost chargeable to each school district
30 from school district funds.~~

31 (2) ~~The cost of the audit provided for by a governing board of
32 a local educational agency shall be paid from local educational
33 agency funds. The audit of the funds under the jurisdiction and
34 control of the county superintendent of schools shall be paid from
35 the county school service fund.~~

36 (f) (1) ~~The audits shall be made by a certified public accountant
37 or a public accountant, licensed by the California Board of
38 Accountancy, and selected by the local educational agency, as
39 applicable, from a directory of certified public accountants and
40 public accountants deemed by the Controller as qualified to conduct~~

1 audits of local educational agencies, which shall be published by
2 the Controller not later than December 31 of each year.

3 ~~(2) Commencing with the 2003-04 fiscal year and except as~~
4 ~~provided in subdivision (d) of Section 41320.1, it is unlawful for~~
5 ~~a public accounting firm to provide audit services to a local~~
6 ~~educational agency if the lead audit partner, or coordinating audit~~
7 ~~partner, having primary responsibility for the audit, or the audit~~
8 ~~partner responsible for reviewing the audit, has performed audit~~
9 ~~services for that local educational agency in each of the six previous~~
10 ~~fiscal years. The Education Audit Appeals Panel may waive this~~
11 ~~requirement if the panel finds that no otherwise eligible auditor is~~
12 ~~available to perform the audit.~~

13 ~~(3) It is the intent of the Legislature that, notwithstanding~~
14 ~~paragraph (2), the rotation within public accounting firms conform~~
15 ~~to provisions of the federal Sarbanes-Oxley Act of 2002 (Public~~
16 ~~Law 107-204; 15 U.S.C. Sec. 7201 et seq.), and upon release of~~
17 ~~the report required by the act of the Comptroller General of the~~
18 ~~United States addressing the mandatory rotation of registered~~
19 ~~public accounting firms, the Legislature intends to reconsider the~~
20 ~~provisions of paragraph (2). In determining which certified public~~
21 ~~accountants and public accountants shall be included in the~~
22 ~~directory, the Controller shall use the following criteria:~~

23 ~~(A) The certified public accountants or public accountants shall~~
24 ~~be in good standing as certified by the Board of Accountancy.~~

25 ~~(B) The certified public accountants or public accountants, as~~
26 ~~a result of a quality control review conducted by the Controller~~
27 ~~pursuant to Section 14504.2, shall not have been found to have~~
28 ~~conducted an audit in a manner constituting noncompliance with~~
29 ~~subdivision (a) of Section 14503.~~

30 ~~(g) (1) The auditor's report shall include each of the following:~~

31 ~~(A) A statement that the audit was conducted pursuant to~~
32 ~~standards and procedures developed in accordance with Chapter~~
33 ~~3 (commencing with Section 14500) of Part 9 of Division 1 of~~
34 ~~Title 1.~~

35 ~~(B) A summary of audit exceptions and management~~
36 ~~improvement recommendations.~~

37 ~~(C) An evaluation by the auditor on whether there is substantial~~
38 ~~doubt about the ability of the local educational agency to continue~~
39 ~~as a going concern for a reasonable period of time. This evaluation~~
40 ~~shall be based on the Statement on Auditing Standards (SAS) No.~~

1 59, as issued by the AICPA regarding disclosure requirements
2 relating to the ability of the entity to continue as a going concern.

3 (D) Commencing with the 2015-16 fiscal year, a summary of
4 the extent to which the local educational agency has complied with
5 the requirement that each of its schools develop a comprehensive
6 school safety plan pursuant to Section 32281.

7 (2) To the extent possible, a description of correction or plan
8 of correction shall be incorporated in the audit report, describing
9 the specific actions that are planned to be taken, or that have been
10 taken, to correct the problem identified by the auditor. The
11 descriptions of specific actions to be taken or that have been taken
12 shall not solely consist of general comments such as “will
13 implement,” “accepted the recommendation,” or “will discuss at
14 a later date.”

15 (h) Not later than December 15, a report of each local
16 educational agency audit for the preceding fiscal year shall be filed
17 with the county superintendent of schools of the county in which
18 the local educational agency is located, the department, and the
19 Controller. The Superintendent shall make any adjustments
20 necessary in future apportionments of all state funds, to correct
21 any audit exceptions revealed by those audit reports.

22 (i) (1) Commencing with the 2002-03 audit of local educational
23 agencies pursuant to this section and subdivision (d) of Section
24 41320.1, each county superintendent of schools shall be responsible
25 for reviewing the audit exceptions contained in an audit of a local
26 educational agency under his or her jurisdiction related to
27 attendance, inventory of equipment, internal control, and any
28 miscellaneous items, and determining whether the exceptions have
29 been either corrected or an acceptable plan of correction has been
30 developed.

31 (2) Commencing with the 2004-05 audit of local educational
32 agencies pursuant to this section and subdivision (d) of Section
33 41320.1, each county superintendent of schools shall include in
34 the review of audit exceptions performed pursuant to this
35 subdivision those audit exceptions related to use of instructional
36 materials program funds, teacher misassignments pursuant to
37 Section 44258.9, and information reported on the school
38 accountability report card required pursuant to Section 33126, and
39 shall determine whether the exceptions are either corrected or an
40 acceptable plan of correction has been developed.

1 ~~(j) Upon submission of the final audit report to the governing~~
2 ~~board of each local educational agency and subsequent receipt of~~
3 ~~the audit by the county superintendent of schools having~~
4 ~~jurisdiction over the local educational agency, the county office~~
5 ~~of education shall do all of the following:~~
6 ~~(1) Review audit exceptions related to attendance, inventory of~~
7 ~~equipment, internal control, and other miscellaneous exceptions.~~
8 ~~Attendance exceptions or issues shall include, but not be limited~~
9 ~~to, those related to local control funding formula allocations~~
10 ~~pursuant to Section 42238.02, as implemented by Section 42238.03,~~
11 ~~and independent study.~~
12 ~~(2) If a description of the correction or plan of correction has~~
13 ~~not been provided as part of the audit required by this section, the~~
14 ~~county superintendent of schools shall notify the local educational~~
15 ~~agency and request the governing board of the local educational~~
16 ~~agency to provide to the county superintendent of schools a~~
17 ~~description of the corrections or plan of correction by March 15.~~
18 ~~(3) Review the description of correction or plan of correction~~
19 ~~and determine its adequacy. If the description of the correction or~~
20 ~~plan of correction is not adequate, the county superintendent of~~
21 ~~schools shall require the local educational agency to resubmit that~~
22 ~~portion of its response that is inadequate.~~
23 ~~(k) Each county superintendent of schools shall certify to the~~
24 ~~Superintendent and the Controller, not later than May 15, that his~~
25 ~~or her staff has reviewed all audits of local educational agencies~~
26 ~~under his or her jurisdiction for the prior fiscal year, that all~~
27 ~~exceptions that the county superintendent was required to review~~
28 ~~were reviewed, and that all of those exceptions, except as otherwise~~
29 ~~noted in the certification, have been corrected by the local~~
30 ~~educational agency or that an acceptable plan of correction has~~
31 ~~been submitted to the county superintendent of schools. In addition,~~
32 ~~the county superintendent shall identify, by local educational~~
33 ~~agency, any attendance-related audit exception or exceptions~~
34 ~~involving state funds, and require the local educational agency to~~
35 ~~which the audit exceptions were directed to submit appropriate~~
36 ~~reporting forms for processing by the Superintendent.~~
37 ~~(l) In the audit of a local educational agency for a subsequent~~
38 ~~year, the auditor shall review the correction or plan or plans of~~
39 ~~correction submitted by the local educational agency to determine~~
40 ~~if the exceptions have been resolved. If not, the auditor shall~~

1 immediately notify the appropriate county office of education and
2 the department and restate the exception in the audit report. After
3 receiving that notification, the department shall either consult with
4 the local educational agency to resolve the exception or require
5 the county superintendent of schools to follow up with the local
6 educational agency.

7 (m) (1) The Superintendent shall be responsible for ensuring
8 that local educational agencies have either corrected or developed
9 plans of correction for any one or more of the following:

10 (A) All federal and state compliance audit exceptions identified
11 in the audit.

12 (B) Any exceptions that the county superintendent of schools
13 certifies as of May 15 have not been corrected.

14 (C) Any repeat audit exceptions that are not assigned to a county
15 superintendent of schools to correct.

16 (2) In addition, the Superintendent shall be responsible for
17 ensuring that county superintendents of schools and each county
18 board of education that serves as the governing board of a local
19 educational agency either correct all audit exceptions identified in
20 the audits of county superintendents of schools and of the local
21 educational agencies for which the county boards of education
22 serve as the governing boards or develop acceptable plans of
23 correction for those exceptions.

24 (3) The Superintendent shall report annually to the Controller
25 on his or her actions to ensure that school districts, county
26 superintendents of schools, and each county board of education
27 that serves as the governing board of a school district have either
28 corrected or developed plans of correction for any of the exceptions
29 noted pursuant to paragraph (1).

30 (n) To facilitate correction of the exceptions identified by the
31 audits issued pursuant to this section, commencing with 2002-03
32 audits pursuant to this section, the Controller shall require auditors
33 to categorize audit exceptions in each audit report in a manner that
34 will make it clear to both the county superintendent of schools and
35 the Superintendent which exceptions they are responsible for
36 ensuring the correction of by a local educational agency. In
37 addition, the Controller annually shall select a sampling of county
38 superintendents of schools, perform a followup of the audit
39 resolution process of those county superintendents of schools, and

1 report the results of that followup to the Superintendent and the
2 county superintendents of schools that were reviewed.

3 ~~(e) County superintendents of schools shall adjust subsequent
4 local property tax requirements to correct audit exceptions relating
5 to local educational agency tax rates and tax revenues.~~

6 ~~(p) If a governing board of a local educational agency or county
7 superintendent of schools fails or is unable to make satisfactory
8 arrangements for the audit pursuant to this section, the Controller
9 shall make arrangements for the audit, and the cost of the audit
10 shall be paid from local educational agency funds or the county
11 school service fund, as the case may be.~~

12 ~~(q) Audits of regional occupational centers and programs are
13 subject to the provisions of this section.~~

14 ~~(r) This section does not authorize examination of, or reports
15 on, the curriculum used or provided for in any local educational
16 agency.~~

17 ~~(s) Notwithstanding any other law, a nonauditing, management,
18 or other consulting service to be provided to a local educational
19 agency by a certified public accounting firm while the certified
20 public accounting firm is performing an audit of the agency
21 pursuant to this section shall be in accord with Government
22 Accounting Standards, Amendment No. 3, as published by the
23 United States General Accounting Office.~~

24 ~~SEC. 4.~~

25 *SEC. 3.* If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
29 4 of Title 2 of the Government Code.