

Introduced by Senator FullerJanuary 30, 2013

An act to amend Section 42285.5 of the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 143, as introduced, Fuller. Education finance: necessary small high schools: average daily attendance.

Existing law establishes an education funding system under which the Superintendent of Public Instruction apportions to each qualifying school district state aid funds in an amount not to exceed its revenue limit, an amount that is largely based on the school district's average daily attendance, which is computed as specified. Existing law authorizes specified school districts to calculate their revenue limits in a different manner if the school district includes a necessary small high school, which is defined as a high school with an average daily attendance of less than 301 that meets prescribed conditions. Existing law also authorizes a school district that includes a necessary small high school to include average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and number of certificated employees employed in the 2011–12 fiscal year if the school district included average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and certificated employees employed in the 2010–11 fiscal year. Existing law also authorizes charter schools and school districts to apply for an exemption from required funding deferrals, as specified.

This bill would instead authorize a school district that includes a necessary small high school to include average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and number of certificated employees employed in the 2012–13 and 2013–14 fiscal years if the school district included average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils in the calculation of average daily attendance and certificated employees employed in the previous fiscal year. The bill would require a school district that chooses to include the average daily attendance in grades 7 and 8 and the instructors of grade 7 and 8 pupils, as described above, to pursue any funding deferral exemptions for which it may be eligible.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. 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 42285.5 of the Education Code is
2 amended to read:

3 42285.5. (a) For purposes of subdivision (a) of Section 42284
4 and Section 42285, a school district may include average daily
5 attendance in grades 7 and 8 and the instructors of grade 7 and 8
6 pupils in the calculation of average daily attendance and number
7 of certificated employees employed in the ~~2011–12~~ 2012–13 and
8 2013–14 fiscal ~~year~~ years if the school district included average
9 daily attendance in grades 7 and 8 and the instructors of grade 7
10 and 8 pupils in the calculation of average daily attendance and
11 certificated employees employed in the ~~2010–11~~ previous fiscal
12 year.

13 (b) Notwithstanding Sections 42284 and 42285, for purposes
14 of this section, with respect to a school district eligible to ~~utilize~~
15 use subdivision (a), any references to grades 9 to 12, inclusive, in
16 Sections 42284 and 42285 shall be deemed instead to be references
17 to grades 7 to 12, inclusive.

18 (c) A school district applying pursuant to subdivision (a) shall
19 pursue any funding deferral exemptions for which it may be
20 eligible.

1 SEC. 2. This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety within
3 the meaning of Article IV of the Constitution and shall go into
4 immediate effect. The facts constituting the necessity are:

5 In order to serve pupils without disrupting their education, and
6 to ensure the continuation of necessary small school funding for
7 grades 7 to 12, inclusive, it is necessary for this act to take effect
8 immediately.

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