

AMENDED IN SENATE APRIL 11, 2013

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SENATE BILL

No. 236

Introduced by Senator Pavley
(Principal coauthor: Assembly Member Gorell)

February 12, 2013

An act to amend Section 37710 of, and to add *and repeal* Section 37712-~~to~~ *of*, the Education Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 236, as amended, Pavley. School districts: four-day school week: Moorpark Unified School District.

Existing law authorizes certain school districts to operate one or more schools on a 4-day school week if the school district complies with specified instructional time requirements and other requirements related to the 4-day school week.

This bill would, beginning in the 2013–14 fiscal year, authorize the Moorpark Unified School District to operate one or more *high* schools *offering a middle college program* on a 4-day school week if it complies with the specified instructional time requirements and other requirements related to the 4-day school week. The bill would require the authority of a school in the Moorpark Unified School District to operate on a 4-day school week to be permanently revoked if the school fails to achieve its Academic Performance Index growth target. *The bill would make these provisions inoperative on June 30, 2018, and would repeal these provisions as of January 1, 2019.*

This bill would make legislative findings and declarations as to the necessity of a special statute for the Moorpark Unified School District.

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 37710 of the Education Code is amended
2 to read:

3 37710. If a school operating on a four-day school week
4 pursuant to Section 37710.3, 37710.5, 37711, or 37712 fails to
5 achieve its Academic Performance Index growth target pursuant
6 to Section 52052, the authority of that school to operate on a
7 four-day school week shall be permanently revoked commencing
8 with the beginning of the following school year.

9 SEC. 2. Section 37712 is added to the Education Code, to read:

10 37712. (a) Beginning in the 2013–14 fiscal year, the Moorpark
11 Unified School District may operate one or more ~~schools~~ *high*
12 *schools offering a middle college program* in the school district
13 on a four-day school week, if the school district complies with the
14 instructional time requirements specified in Section 37701 and the
15 other requirements of this chapter. The state board may waive the
16 five-consecutive-day operating requirements for a middle college
17 program that operates on a four-day school week pursuant to this
18 section, provided that the school district meets the minimum time
19 requirement for the middle college program.

20 (b) If the school district operates one or more schools on a
21 four-day school week pursuant to this section, and the program
22 for the school year provides fewer than the 180 days of instruction
23 required under Section 46200, the Superintendent shall reduce the
24 base revenue limit per unit of average daily attendance for that
25 fiscal year by the amount the school district would have received
26 for the increase received pursuant to subdivision (a) of Section
27 46200, as adjusted in fiscal years subsequent to the 1984–85 fiscal
28 year. If the school district operates one or more schools on a
29 four-day school week pursuant to this section, and the program
30 provides fewer than the minimum instructional minutes required
31 under Section 46201, the Superintendent shall reduce the base
32 revenue limit per unit of average daily attendance for that fiscal
33 year in which the reduction occurs by the amount the school district

1 would have received for the increase in the base revenue limit per
2 unit of average daily attendance pursuant to subdivision (a) of
3 Section 46201, as adjusted in the 1987–88 fiscal year and
4 subsequent fiscal years.

5 (c) Notwithstanding Section 37710, if a small school having
6 between 11 and 99 valid Standardized Testing and Reporting
7 Program test scores operating on a four-day school week fails to
8 achieve its Academic Performance Index growth target pursuant
9 to Section 52052 for two consecutive years, the authority of that
10 school to operate on a four-day school week shall be permanently
11 revoked commencing with the school year following the second
12 consecutive year the school failed to achieve its Academic
13 Performance Index growth rate.

14 (d) If the school district operates one or more schools on a
15 four-day school week pursuant to this section, the school district
16 shall submit a report to the department, the Senate Committee on
17 Education, and the Assembly Committee on Education on or before
18 January 15, 2018. The report shall include, but not necessarily be
19 limited to, information on all of the following:

20 (1) Programs the school district offered on the fifth schoolday
21 and their participation rates.

22 (2) If the four-day school week schedule resulted in fiscal
23 savings.

24 (3) Impact on overall attendance of the schools operating a
25 four-day school week.

26 (4) Programs for which the state board waived minimum time
27 and five-consecutive-day requirements and the operational and
28 educational effects of the programs if they operated at less time
29 than required.

30 (5) The impact of the four-day school week on crime statistics,
31 especially on the day on which school would otherwise be in
32 session.

33 (6) Information on the Academic Performance Index, pursuant
34 to Section 52052, for every year a school in the school district
35 operated on a four-day school week. The information shall include,
36 but not necessarily be limited to, the base and growth Academic
37 Performance Index of each school that operated on a four-day
38 school week and whether that school met the Academic
39 Performance Index growth targets.

1 (7) *Specific outcomes for pupils attending a school operating*
2 *on a four-day school week including, but not limited to, attendance*
3 *rates, graduation rates, college entrance and attendance rates,*
4 *and employment rates of pupils who do not attend college.*

5 (e) *This section shall become inoperative on June 30, 2018,*
6 *and, as of January 1, 2019, is repealed, unless a later enacted*
7 *statute, that becomes operative on or before January 1, 2019,*
8 *deletes or extends the dates on which it becomes inoperative and*
9 *is repealed.*

10 SEC. 3. The Legislature finds and declares that a special law
11 is necessary and that a general law cannot be made applicable
12 within the meaning of Section 16 of Article IV of the California
13 Constitution because of the unique circumstances facing many of
14 the pupils enrolled in the Moorpark Unified School District.

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

19 In order for the Moorpark Unified School District to use the
20 four-day school week authorization provided by this act in the
21 2013–14 school year, it is necessary that this act take effect
22 immediately.