

AMENDED IN ASSEMBLY SEPTEMBER 12, 2013

AMENDED IN ASSEMBLY SEPTEMBER 6, 2013

AMENDED IN ASSEMBLY SEPTEMBER 3, 2013

AMENDED IN ASSEMBLY AUGUST 15, 2013

AMENDED IN ASSEMBLY AUGUST 7, 2013

AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE MAY 8, 2013

AMENDED IN SENATE APRIL 17, 2013

SENATE BILL

No. 344

Introduced by Senator Padilla

February 20, 2013

An act to amend Sections 41020, 42127, 42238.07, 52052, 52060, 52061, 52062, 52063, 52064, 52066, 52067, 52068, 52069, 52070, 52070.5, 52071, and 52071.5 of, and to add Section 54030 to, the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 344, as amended, Padilla. Schools.

(1) Existing law establishes the public school system in this state and, among other things, provides for the establishment of county superintendents of schools, school districts, and charter schools throughout the state. Existing law provides for the provision of instruction at the public elementary and secondary schools maintained by these local educational agencies. Existing law establishes a public school financing system.

This bill would require an audit of a school district to include whether expenditures were in compliance with the regulations related to the expenditure of moneys apportioned on the basis of the number and concentration of unduplicated pupils, as defined.

(2) Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index to measure the performance of schools and school districts, especially the academic performance of pupils. Existing law requires a school or school district to demonstrate comparable improvement in academic achievement as measured by the Academic Performance Index by all numerically significant pupil subgroups at the school or school district, as specified.

This bill would add reclassified English learners, as provided, to the list of pupil subgroups concerning which a school or school district is required to demonstrate this improvement, if the subgroup is numerically significant. By adding to the duties of local educational agencies, this bill would impose a state-mandated local program.

(3) Existing law requires a county board of education and a governing board of a school district to annually adopt or revise a local control and accountability plan that aligns with its annual budget and contains certain elements and that, among other things, was developed in consultation with teachers, principals, administrators, other school personnel, parents, and pupils. Existing law requires a charter for a charter school to include many of the local control and accountability plan elements and requires the charter school to annually update its plan related to those elements.

Existing law, an initiative measure, requires that all children in public schools, with certain exceptions, be taught English by being taught in English, requires that all children be placed in English language classrooms, and requires that children who are English learners be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year.

This bill would revise provisions regarding local control and accountability plans, primarily in regard to English learners, including requiring the governing board of a school district to include a listing and description of certain expenditures in its local control and accountability plan, as specified. The bill would require that specified templates developed by the State Board of Education ensure that each school district, county superintendent of schools, or charter school that receives supplemental and concentration funds for unduplicated pupils

include specified information in its local control and accountability plan. By adding to the duties of local educational agencies, this bill would impose a state-mandated local program.

(4) Existing law requires the governing board of a school district to establish a parent advisory committee to provide advice to the governing board of the school district and the superintendent of the school district, as specified. Existing law additionally requires the governing board of a school district to establish an English learner parent advisory committee if the enrollment of the school district includes at least 15% English learners and the school district enrolls at least 50 pupils who are English learners.

This bill would instead require the governing board of a school district to establish a districtwide parent advisory committee and, as a condition of supplemental state grant funds, if the enrollment of the school district includes at least 15% English learners or the school district enrolls at least 50 pupils who are English learners, to establish a districtwide English learner parent advisory committee. The bill would require the districtwide English learner parent advisory committee to advise the governing board on specified tasks, including, among others, the establishment of school district goals and objectives for programs and services for English learners and school district reclassification procedures.

(5) Existing law requires a county superintendent of schools to establish an English learner parent advisory committee if the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15% English learners and the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

This bill would instead require a county superintendent of schools to establish an English learner parent advisory committee if *either* the enrollment of the pupils in the schools and programs operated by the county superintendent of schools includes at least 15% English learners or the schools and programs operated by the county superintendent of schools enroll at least 50 pupils who are English learners.

(6) This bill would incorporate additional changes in Sections 42127, 52060, 52064, and 52066 of the Education Code proposed by ~~AB 103~~, *both AB 103 and SB 97*, to be operative only if ~~AB 103~~ and this bill *and one or both of the other bills* are ~~both~~ enacted and become effective on or before January 1, 2014, to the extent each bill amends Sections 42127, 52060, 52064, and 52066 of the Education Code, and this bill

is enacted after AB 103. *last*. The bill would also incorporate additional changes in Section 52052 of the Education Code proposed by AB 484, to be operative only if AB 484 and this bill are both enacted and become effective on or before January 1, 2014, both bills amend Section 52052 of the Education Code, and this bill is enacted after AB 484.

(7) 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 41020 of the Education Code is amended
2 to read:
3 41020. (a) It is the intent of the Legislature to encourage sound
4 fiscal management practices among local educational agencies for
5 the most efficient and effective use of public funds for the
6 education of children in California by strengthening fiscal
7 accountability at the school district, county, and state levels.
8 (b) (1) Not later than the first day of May of each fiscal year,
9 each county superintendent of schools shall provide for an audit
10 of all funds under his or her jurisdiction and control and the
11 governing board of each local educational agency shall either
12 provide for an audit of the books and accounts of the local
13 educational agency, including an audit of income and expenditures
14 by source of funds, or make arrangements with the county
15 superintendent of schools having jurisdiction over the local
16 educational agency to provide for that auditing.
17 (2) A contract to perform the audit of a local educational agency
18 that has a disapproved budget or has received a negative
19 certification on any budget or interim financial report during the
20 current fiscal year or either of the two preceding fiscal years, or
21 for which the county superintendent of schools has otherwise
22 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.

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 (c) 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 and whether
23 expenditures were in compliance with the regulations adopted
24 pursuant to Section 42238.07.

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

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

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

38 (f) (1) The audits shall be made by a certified public accountant
39 or a public accountant, licensed by the California Board of
40 Accountancy, and selected by the local educational agency, as

1 applicable, from a directory of certified public accountants and
2 public accountants deemed by the Controller as qualified to conduct
3 audits of local educational agencies, which shall be published by
4 the Controller not later than December 31 of each year.

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

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

25 (A) The certified public accountants or public accountants shall
26 be in good standing as certified by the California Board of
27 Accountancy.

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

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

34 (A) A statement that the audit was conducted pursuant to
35 standards and procedures developed in accordance with Chapter
36 3 (commencing with Section 14500) of Part 9 of Division 1 of
37 Title 1.

38 (B) A summary of audit exceptions and management
39 improvement recommendations.

1 (C) Each audit of a local educational agency shall include an
2 evaluation by the auditor on whether there is substantial doubt
3 about the ability of the local educational agency to continue as a
4 going concern for a reasonable period of time. This evaluation
5 shall be based on the Statement on Auditing Standards (SAS) No.
6 59, as issued by the AICPA regarding disclosure requirements
7 relating to the ability of the entity to continue as a going concern.

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

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

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

32 (2) Commencing with the 2004–05 audit of local educational
33 agencies pursuant to this section and subdivision (d) of Section
34 41320.1, each county superintendent of schools shall include in
35 the review of audit exceptions performed pursuant to this
36 subdivision those audit exceptions related to use of instructional
37 materials program funds, teacher misassignments pursuant to
38 Section 44258.9, information reported on the school accountability
39 report card required pursuant to Section 33126 and shall determine

1 whether the exceptions are either corrected or an acceptable plan
2 of correction has been developed.

3 (j) Upon submission of the final audit report to the governing
4 board of each local educational agency and subsequent receipt of
5 the audit by the county superintendent of schools having
6 jurisdiction over the local educational agency, the county office
7 of education shall do all of the following:

8 (1) Review audit exceptions related to attendance, inventory of
9 equipment, internal control, and other miscellaneous exceptions.
10 Attendance exceptions or issues shall include, but not be limited
11 to, those related to local control funding formula allocations
12 pursuant to Section 42238.02, as implemented by Section 42238.03,
13 and independent study.

14 (2) If a description of the correction or plan of correction has
15 not been provided as part of the audit required by this section, then
16 the county superintendent of schools shall notify the local
17 educational agency and request the governing board of the local
18 educational agency to provide to the county superintendent of
19 schools a description of the corrections or plan of correction by
20 March 15.

21 (3) Review the description of correction or plan of correction
22 and determine its adequacy. If the description of the correction or
23 plan of correction is not adequate, the county superintendent of
24 schools shall require the local educational agency to resubmit that
25 portion of its response that is inadequate.

26 (k) Each county superintendent of schools shall certify to the
27 Superintendent and the Controller, not later than May 15, that his
28 or her staff has reviewed all audits of local educational agencies
29 under his or her jurisdiction for the prior fiscal year, that all
30 exceptions that the county superintendent was required to review
31 were reviewed, and that all of those exceptions, except as otherwise
32 noted in the certification, have been corrected by the local
33 educational agency or that an acceptable plan of correction has
34 been submitted to the county superintendent of schools. In addition,
35 the county superintendent shall identify, by local educational
36 agency, any attendance-related audit exception or exceptions
37 involving state funds, and require the local educational agency to
38 which the audit exceptions were directed to submit appropriate
39 reporting forms for processing by the Superintendent.

1 (l) In the audit of a local educational agency for a subsequent
2 year, the auditor shall review the correction or plan or plans of
3 correction submitted by the local educational agency to determine
4 if the exceptions have been resolved. If not, the auditor shall
5 immediately notify the appropriate county office of education and
6 the department and restate the exception in the audit report. After
7 receiving that notification, the department shall either consult with
8 the local educational agency to resolve the exception or require
9 the county superintendent of schools to follow up with the local
10 educational agency.

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

14 (A) All federal and state compliance audit exceptions identified
15 in the audit.

16 (B) Any exceptions that the county superintendent certifies as
17 of May 15 have not been corrected.

18 (C) Any repeat audit exceptions that are not assigned to a county
19 superintendent to correct.

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

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

34 (n) To facilitate correction of the exceptions identified by the
35 audits issued pursuant to this section, commencing with 2002–03
36 audits pursuant to this section, the Controller shall require auditors
37 to categorize audit exceptions in each audit report in a manner that
38 will make it clear to both the county superintendent of schools and
39 the Superintendent which exceptions they are responsible for
40 ensuring the correction of by a local educational agency. In

1 addition, the Controller annually shall select a sampling of county
2 superintendents of schools and perform a followup of the audit
3 resolution process of those county superintendents of schools and
4 report the results of that followup to the Superintendent and the
5 county superintendents of schools that were reviewed.

6 (o) County superintendents of schools shall adjust subsequent
7 local property tax requirements to correct audit exceptions relating
8 to local educational agency tax rates and tax revenues.

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

15 (q) Audits of regional occupational centers and programs are
16 subject to the provisions of this section.

17 (r) This section does not authorize examination of, or reports
18 on, the curriculum used or provided for in any local educational
19 agency.

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

27 SEC. 2. Section 42127 of the Education Code is amended to
28 read:

29 42127. (a) On or before July 1 of each year, the governing
30 board of each school district shall accomplish the following:

31 (1) Hold a public hearing on the budget to be adopted for the
32 subsequent fiscal year. The budget to be adopted shall be prepared
33 in accordance with Section 42126. The agenda for that hearing
34 shall be posted at least 72 hours before the public hearing and shall
35 include the location where the budget will be available for public
36 inspection.

37 (A) For the 2011–12 fiscal year, notwithstanding any of the
38 standards and criteria adopted by the state board pursuant to Section
39 33127, each school district budget shall project the same level of
40 revenue per unit of average daily attendance as it received in the

1 2010–11 fiscal year and shall maintain staffing and program levels
2 commensurate with that level.

3 (B) For the 2011–12 fiscal year, the school district shall not be
4 required to demonstrate that it is able to meet its financial
5 obligations for the two subsequent fiscal years.

6 (2) Adopt a budget. Not later than five days after that adoption
7 or by July 1, whichever occurs first, the governing board of the
8 school district shall file that budget with the county superintendent
9 of schools. The budget and supporting data shall be maintained
10 and made available for public review. If the governing board of
11 the school district does not want all or a portion of the property
12 tax requirement levied for the purpose of making payments for the
13 interest and redemption charges on indebtedness as described in
14 paragraph (1) or (2) of subdivision (b) of Section 1 of Article
15 XIII A of the California Constitution, the budget shall include a
16 statement of the amount or portion for which a levy shall not be
17 made. For the 2014–15 fiscal year and each fiscal year thereafter,
18 the governing board of the school district shall not adopt a budget
19 before the governing board of the school district adopts a local
20 control and accountability plan, if an existing local control and
21 accountability plan or annual update to a local control and
22 accountability plan is not effective for the budget year. The
23 governing board of a school district shall not adopt a budget that
24 does not include the expenditures necessary to implement the local
25 control and accountability plan or the annual update to a local
26 control and accountability plan that is effective during the
27 subsequent fiscal year.

28 (b) The county superintendent of schools may accept changes
29 in any statement included in the budget, pursuant to subdivision
30 (a), of the amount or portion for which a property tax levy shall
31 not be made. The county superintendent of schools or the county
32 auditor shall compute the actual amounts to be levied on the
33 property tax rolls of the school district for purposes that exceed
34 apportionments to the school district pursuant to Chapter 6
35 (commencing with Section 95) of Part 0.5 of Division 1 of the
36 Revenue and Taxation Code. Each school district shall provide all
37 data needed by the county superintendent of schools or the county
38 auditor to compute the amounts. On or before August 15, the
39 county superintendent of schools shall transmit the amounts
40 computed to the county auditor who shall compute the tax rates

1 necessary to produce the amounts. On or before September 1, the
2 county auditor shall submit the rate computed to the board of
3 supervisors for adoption.

4 (c) The county superintendent of schools shall do all of the
5 following:

6 (1) Examine the adopted budget to determine whether it
7 complies with the standards and criteria adopted by the state board
8 pursuant to Section 33127 for application to final local educational
9 agency budgets. The county superintendent of schools shall
10 identify, if necessary, technical corrections that are required to be
11 made to bring the budget into compliance with those standards
12 and criteria.

13 (2) Determine whether the adopted budget will allow the school
14 district to meet its financial obligations during the fiscal year and
15 is consistent with a financial plan that will enable the school district
16 to satisfy its multiyear financial commitments. In addition to his
17 or her own analysis of the budget of each school district, the county
18 superintendent of schools shall review and consider studies, reports,
19 evaluations, or audits of the school district that were commissioned
20 by the school district, the county superintendent of schools, the
21 Superintendent, and state control agencies and that contain
22 evidence that the school district is showing fiscal distress under
23 the standards and criteria adopted in Section 33127 or that contain
24 a finding by an external reviewer that more than 3 of the 15 most
25 common predictors of a school district needing intervention, as
26 determined by the County Office Fiscal Crisis and Management
27 Assistance Team, are present. The county superintendent of schools
28 shall either conditionally approve or disapprove a budget that does
29 not provide adequate assurance that the school district will meet
30 its current and future obligations and resolve any problems
31 identified in studies, reports, evaluations, or audits described in
32 this paragraph.

33 (3) Determine whether the adopted budget includes the
34 expenditures necessary to implement the local control and
35 accountability plan or annual update to the local control and
36 accountability plan approved by the county superintendent of
37 schools and whether those expenditures comply with the
38 regulations adopted pursuant to Section 42238.07.

39 (d) On or before August 15, the county superintendent of schools
40 shall approve, conditionally approve, or disapprove the adopted

1 budget for each school district. For the 2014–15 fiscal year and
2 each fiscal year thereafter, the county superintendent of schools
3 shall disapprove a budget if the county superintendent of schools
4 determines that the budget does not include the expenditures
5 necessary to implement a local control and accountability plan or
6 an annual update to the local control and accountability plan
7 approved by the county superintendent of schools or does not
8 comply with the regulations adopted pursuant to Section 42238.07.
9 If a school district does not submit a budget to the county
10 superintendent of schools, the county superintendent of schools
11 shall develop, at school district expense, a budget for that school
12 district by September 15 and transmit that budget to the governing
13 board of the school district. The budget prepared by the county
14 superintendent of schools shall be deemed adopted, unless the
15 county superintendent of schools approves any modifications made
16 by the governing board of the school district. The approved budget
17 shall be used as a guide for the school district’s priorities. The
18 Superintendent shall review and certify the budget approved by
19 the county. If, pursuant to the review conducted pursuant to
20 subdivision (c), the county superintendent of schools determines
21 that the adopted budget for a school district does not satisfy
22 paragraph (1) or (2) of that subdivision, he or she shall
23 conditionally approve or disapprove the budget and, not later than
24 August 15, transmit to the governing board of the school district,
25 in writing, his or her recommendations regarding revision of the
26 budget and the reasons for those recommendations, including, but
27 not limited to, the amounts of any budget adjustments needed
28 before he or she can approve that budget. The county
29 superintendent of schools may assign a fiscal adviser to assist the
30 school district to develop a budget in compliance with those
31 revisions. In addition, the county superintendent of schools may
32 appoint a committee to examine and comment on the
33 superintendent’s review and recommendations, subject to the
34 requirement that the committee report its findings to the county
35 superintendent of schools no later than August 20. For the 2011–12
36 fiscal year, notwithstanding any of the standards and criteria
37 adopted by the state board pursuant to Section 33127, the county
38 superintendent of schools, as a condition on approval of a school
39 district budget, shall not require a school district to project a lower
40 level of revenue per unit of average daily attendance than it

1 received in the 2010–11 fiscal year nor require the school district
2 to demonstrate that it is able to meet its financial obligations for
3 the two subsequent fiscal years.

4 (e) On or before September 8, the governing board of the school
5 district shall revise the adopted budget to reflect changes in
6 projected income or expenditures subsequent to July 1, and to
7 include any response to the recommendations of the county
8 superintendent of schools, shall adopt the revised budget, and shall
9 file the revised budget with the county superintendent of schools.
10 Before revising the budget, the governing board of the school
11 district shall hold a public hearing regarding the proposed revisions,
12 to be conducted in accordance with Section 42103. In addition, if
13 the adopted budget is disapproved pursuant to subdivision (d), the
14 governing board of the school district and the county
15 superintendent of schools shall review the disapproval and the
16 recommendations of the county superintendent of schools regarding
17 revision of the budget at the public hearing. The revised budget
18 and supporting data shall be maintained and made available for
19 public review.

20 (1) For the 2011–12 fiscal year, notwithstanding any of the
21 standards and criteria adopted by the state board pursuant to Section
22 33127, each school district budget shall project the same level of
23 revenue per unit of average daily attendance as it received in the
24 2010–11 fiscal year and shall maintain staffing and program levels
25 commensurate with that level.

26 (2) For the 2011–12 fiscal year, the school district shall not be
27 required to demonstrate that it is able to meet its financial
28 obligations for the two subsequent fiscal years.

29 (f) On or before September 22, the county superintendent of
30 schools shall provide a list to the Superintendent identifying all
31 school districts for which budgets may be disapproved.

32 (g) The county superintendent of schools shall examine the
33 revised budget to determine whether it (1) complies with the
34 standards and criteria adopted by the state board pursuant to Section
35 33127 for application to final local educational agency budgets,
36 (2) allows the school district to meet its financial obligations during
37 the fiscal year, (3) satisfies all conditions established by the county
38 superintendent of schools in the case of a conditionally approved
39 budget, and (4) is consistent with a financial plan that will enable
40 the school district to satisfy its multiyear financial commitments,

1 and, not later than October 8, shall approve or disapprove the
2 revised budget. If the county superintendent of schools disapproves
3 the budget, he or she shall call for the formation of a budget review
4 committee pursuant to Section 42127.1, unless the governing board
5 of the school district and the county superintendent of schools
6 agree to waive the requirement that a budget review committee be
7 formed and the department approves the waiver after determining
8 that a budget review committee is not necessary. Upon the grant
9 of a waiver, the county superintendent of schools immediately has
10 the authority and responsibility provided in Section 42127.3. Upon
11 approving a waiver of the budget review committee, the department
12 shall ensure that a balanced budget is adopted for the school district
13 by November 30. If no budget is adopted by November 30, the
14 Superintendent may adopt a budget for the school district. The
15 Superintendent shall report to the Legislature and the Director of
16 Finance by December 10 if any school district, including a school
17 district that has received a waiver of the budget review committee
18 process, does not have an adopted budget by November 30. This
19 report shall include the reasons why a budget has not been adopted
20 by the deadline, the steps being taken to finalize budget adoption,
21 the date the adopted budget is anticipated, and whether the
22 Superintendent has or will exercise his or her authority to adopt a
23 budget for the school district. For the 2011–12 fiscal year,
24 notwithstanding any of the standards and criteria adopted by the
25 state board pursuant to Section 33127, the county superintendent
26 of schools, as a condition on approval of a school district budget,
27 shall not require a school district to project a lower level of revenue
28 per unit of average daily attendance than it received in the 2010–11
29 fiscal year nor require the school district to demonstrate that it is
30 able to meet its financial obligations for the two subsequent fiscal
31 years.

32 (h) Not later than October 8, the county superintendent of
33 schools shall submit a report to the Superintendent identifying all
34 school districts for which budgets have been disapproved or budget
35 review committees waived. The report shall include a copy of the
36 written response transmitted to each of those school districts
37 pursuant to subdivision (d).

38 (i) Notwithstanding any other provision of this section, the
39 budget review for a school district shall be governed by paragraphs
40 (1), (2), and (3), rather than by subdivisions (e) and (g), if the

1 governing board of the school district so elects and notifies the
2 county superintendent of schools in writing of that decision, not
3 later than October 31 of the immediately preceding calendar year.
4 On or before July 1, the governing board of a school district for
5 which the budget review is governed by this subdivision, rather
6 than by subdivisions (e) and (g), shall conduct a public hearing
7 regarding its proposed budget in accordance with Section 42103.

8 (1) If the adopted budget of a school district is disapproved
9 pursuant to subdivision (d), on or before September 8, the
10 governing board of the school district, in conjunction with the
11 county superintendent of schools, shall review the superintendent's
12 recommendations at a regular meeting of the governing board of
13 the school district and respond to those recommendations. The
14 response shall include any revisions to the adopted budget and
15 other proposed actions to be taken, if any, as a result of those
16 recommendations.

17 (2) On or before September 22, the county superintendent of
18 schools shall provide a list to the Superintendent identifying all
19 school districts for which a budget may be tentatively disapproved.

20 (3) Not later than October 8, after receiving the response
21 required under paragraph (1), the county superintendent of schools
22 shall review that response and either approve or disapprove the
23 budget. If the county superintendent of schools disapproves the
24 budget, he or she shall call for the formation of a budget review
25 committee pursuant to Section 42127.1, unless the governing board
26 of the school district and the county superintendent of schools
27 agree to waive the requirement that a budget review committee be
28 formed and the department approves the waiver after determining
29 that a budget review committee is not necessary. Upon the grant
30 of a waiver, the county superintendent has the authority and
31 responsibility provided to a budget review committee in Section
32 42127.3. Upon approving a waiver of the budget review committee,
33 the department shall ensure that a balanced budget is adopted for
34 the school district by November 30. The Superintendent shall
35 report to the Legislature and the Director of Finance by December
36 10 if any school district, including a school district that has received
37 a waiver of the budget review committee process, does not have
38 an adopted budget by November 30. This report shall include the
39 reasons why a budget has not been adopted by the deadline, the
40 steps being taken to finalize budget adoption, and the date the

1 adopted budget is anticipated. For the 2011–12 fiscal year,
2 notwithstanding any of the standards and criteria adopted by the
3 state board pursuant to Section 33127, the county superintendent
4 of schools, as a condition on approval of a school district budget,
5 shall not require a school district to project a lower level of revenue
6 per unit of average daily attendance than it received in the 2010–11
7 fiscal year nor require the school district to demonstrate that it is
8 able to meet its financial obligations for the two subsequent fiscal
9 years.

10 (4) Not later than 45 days after the Governor signs the annual
11 Budget Act, the school district shall make available for public
12 review any revisions in revenues and expenditures that it has made
13 to its budget to reflect the funding made available by that Budget
14 Act.

15 (j) Any school district for which the county board of education
16 serves as the governing board of the school district is not subject
17 to subdivisions (c) to (h), inclusive, but is governed instead by the
18 budget procedures set forth in Section 1622.

19 SEC. 2.5. Section 42127 of the Education Code is amended to
20 read:

21 42127. (a) On or before July 1 of each year, the governing
22 board of each school district shall accomplish the following:

23 (1) Hold a public hearing on the budget to be adopted for the
24 subsequent fiscal year. The budget to be adopted shall be prepared
25 in accordance with Section 42126. The agenda for that hearing
26 shall be posted at least 72 hours before the public hearing and shall
27 include the location where the budget will be available for public
28 inspection.

29 (A) For the 2011–12 fiscal year, notwithstanding any of the
30 standards and criteria adopted by the state board pursuant to Section
31 33127, each school district budget shall project the same level of
32 revenue per unit of average daily attendance as it received in the
33 2010–11 fiscal year and shall maintain staffing and program levels
34 commensurate with that level.

35 (B) For the 2011–12 fiscal year, the school district shall not be
36 required to demonstrate that it is able to meet its financial
37 obligations for the two subsequent fiscal years.

38 (2) Adopt a budget. Not later than five days after that adoption
39 or by July 1, whichever occurs first, the governing board of the
40 school district shall file that budget with the county superintendent

1 of schools. The budget and supporting data shall be maintained
2 and made available for public review. If the governing board of
3 the school district does not want all or a portion of the property
4 tax requirement levied for the purpose of making payments for the
5 interest and redemption charges on indebtedness as described in
6 paragraph (1) or (2) of subdivision (b) of Section 1 of Article
7 XIII A of the California Constitution, the budget shall include a
8 statement of the amount or portion for which a levy shall not be
9 made. For the 2014–15 fiscal year and each fiscal year thereafter,
10 the governing board of the school district shall not adopt a budget
11 before the governing board of the school district adopts a local
12 control and accountability plan, if an existing local control and
13 accountability plan or annual update to a local control and
14 accountability plan is not effective for the budget year. The
15 governing board of a school district shall not adopt a budget that
16 does not include the expenditures necessary to implement the local
17 control and accountability plan or the annual update to a local
18 control and accountability plan that is effective during the
19 subsequent fiscal year.

20 (b) The county superintendent of schools may accept changes
21 in any statement included in the budget, pursuant to subdivision
22 (a), of the amount or portion for which a property tax levy shall
23 not be made. The county superintendent of schools or the county
24 auditor shall compute the actual amounts to be levied on the
25 property tax rolls of the school district for purposes that exceed
26 apportionments to the school district pursuant to Chapter 6
27 (commencing with Section 95) of Part 0.5 of Division 1 of the
28 Revenue and Taxation Code. Each school district shall provide all
29 data needed by the county superintendent of schools or the county
30 auditor to compute the amounts. On or before August 15, the
31 county superintendent of schools shall transmit the amounts
32 computed to the county auditor who shall compute the tax rates
33 necessary to produce the amounts. On or before September 1, the
34 county auditor shall submit the rate computed to the board of
35 supervisors for adoption.

36 (c) The county superintendent of schools shall do all of the
37 following:

38 (1) Examine the adopted budget to determine whether it
39 complies with the standards and criteria adopted by the state board
40 pursuant to Section 33127 for application to final local educational

1 agency budgets. The county superintendent of schools shall
2 identify, if necessary, technical corrections that are required to be
3 made to bring the budget into compliance with those standards
4 and criteria.

5 (2) Determine whether the adopted budget will allow the school
6 district to meet its financial obligations during the fiscal year and
7 is consistent with a financial plan that will enable the school district
8 to satisfy its multiyear financial commitments. In addition to his
9 or her own analysis of the budget of each school district, the county
10 superintendent of schools shall review and consider studies, reports,
11 evaluations, or audits of the school district that were commissioned
12 by the school district, the county superintendent of schools, the
13 Superintendent, and state control agencies and that contain
14 evidence that the school district is showing fiscal distress under
15 the standards and criteria adopted in Section 33127 or that contain
16 a finding by an external reviewer that more than 3 of the 15 most
17 common predictors of a school district needing intervention, as
18 determined by the County Office Fiscal Crisis and Management
19 Assistance Team, are present. The county superintendent of schools
20 shall either conditionally approve or disapprove a budget that does
21 not provide adequate assurance that the school district will meet
22 its current and future obligations and resolve any problems
23 identified in studies, reports, evaluations, or audits described in
24 this paragraph.

25 (3) Determine whether the adopted budget includes the
26 expenditures necessary to implement the local control and
27 accountability plan or annual update to the local control and
28 accountability plan approved by the county superintendent of
29 schools and whether those expenditures comply with the
30 regulations adopted pursuant to Section 42238.07.

31 (d) (1) On or before August 15, the county superintendent of
32 schools shall approve, conditionally approve, or disapprove the
33 adopted budget for each school district. For the 2014–15 fiscal
34 year and each fiscal year thereafter, the county superintendent of
35 schools shall disapprove a budget if the county superintendent of
36 schools determines that the budget does not include the
37 expenditures necessary to implement a local control and
38 accountability plan or an annual update to the local control and
39 accountability plan approved by the county superintendent of
40 schools or does not comply with the regulations adopted pursuant

1 to Section 42238.07. If a school district does not submit a budget
2 to the county superintendent of schools, the county superintendent
3 of schools shall develop, at school district expense, a budget for
4 that school district by September 15 and transmit that budget to
5 the governing board of the school district. The budget prepared
6 by the county superintendent of schools shall be deemed adopted,
7 unless the county superintendent of schools approves any
8 modifications made by the governing board of the school district.
9 The approved budget shall be used as a guide for the school
10 district's priorities. The Superintendent shall review and certify
11 the budget approved by the county. If, pursuant to the review
12 conducted pursuant to subdivision (c), the county superintendent
13 of schools determines that the adopted budget for a school district
14 does not satisfy paragraph (1), (2), or (3) of that subdivision, he
15 or she shall conditionally approve or disapprove the budget and,
16 not later than August 15, transmit to the governing board of the
17 school district, in writing, his or her recommendations regarding
18 revision of the budget and the reasons for those recommendations,
19 including, but not limited to, the amounts of any budget
20 adjustments needed before he or she can approve that budget. The
21 county superintendent of schools may assign a fiscal adviser to
22 assist the school district to develop a budget in compliance with
23 those revisions. In addition, the county superintendent of schools
24 may appoint a committee to examine and comment on the
25 superintendent's review and recommendations, subject to the
26 requirement that the committee report its findings to the county
27 superintendent of schools no later than August 20. For the 2011–12
28 fiscal year, notwithstanding any of the standards and criteria
29 adopted by the state board pursuant to Section 33127, the county
30 superintendent of schools, as a condition on approval of a school
31 district budget, shall not require a school district to project a lower
32 level of revenue per unit of average daily attendance than it
33 received in the 2010–11 fiscal year nor require the school district
34 to demonstrate that it is able to meet its financial obligations for
35 the two subsequent fiscal years.

36 (2) Notwithstanding any other provision of this article, for the
37 2014–15 fiscal year and each fiscal year thereafter, the budget
38 shall not be adopted or approved by the county superintendent of
39 schools before a local control and accountability plan or update to

1 an existing local control and accountability plan for the budget
2 year is approved.

3 (e) On or before September 8, the governing board of the school
4 district shall revise the adopted budget to reflect changes in
5 projected income or expenditures subsequent to July 1, and to
6 include any response to the recommendations of the county
7 superintendent of schools, shall adopt the revised budget, and shall
8 file the revised budget with the county superintendent of schools.
9 Before revising the budget, the governing board of the school
10 district shall hold a public hearing regarding the proposed revisions,
11 to be conducted in accordance with Section 42103. In addition, if
12 the adopted budget is disapproved pursuant to subdivision (d), the
13 governing board of the school district and the county
14 superintendent of schools shall review the disapproval and the
15 recommendations of the county superintendent of schools regarding
16 revision of the budget at the public hearing. The revised budget
17 and supporting data shall be maintained and made available for
18 public review.

19 (1) For the 2011–12 fiscal year, notwithstanding any of the
20 standards and criteria adopted by the state board pursuant to Section
21 33127, each school district budget shall project the same level of
22 revenue per unit of average daily attendance as it received in the
23 2010–11 fiscal year and shall maintain staffing and program levels
24 commensurate with that level.

25 (2) For the 2011–12 fiscal year, the school district shall not be
26 required to demonstrate that it is able to meet its financial
27 obligations for the two subsequent fiscal years.

28 (f) On or before September 22, the county superintendent of
29 schools shall provide a list to the Superintendent identifying all
30 school districts for which budgets may be disapproved.

31 (g) (1) The county superintendent of schools shall examine the
32 revised budget to determine whether it (1) complies with the
33 standards and criteria adopted by the state board pursuant to Section
34 33127 for application to final local educational agency budgets,
35 (2) allows the school district to meet its financial obligations during
36 the fiscal year, (3) satisfies all conditions established by the county
37 superintendent of schools in the case of a conditionally approved
38 budget, and (4) is consistent with a financial plan that will enable
39 the school district to satisfy its multiyear financial commitments,
40 and, not later than October 8, shall approve or disapprove the

1 revised budget. If the county superintendent of schools disapproves
2 the budget, he or she shall call for the formation of a budget review
3 committee pursuant to Section 42127.1, unless the governing board
4 of the school district and the county superintendent of schools
5 agree to waive the requirement that a budget review committee be
6 formed and the department approves the waiver after determining
7 that a budget review committee is not necessary. Upon the grant
8 of a waiver, the county superintendent of schools immediately has
9 the authority and responsibility provided in Section 42127.3. Upon
10 approving a waiver of the budget review committee, the department
11 shall ensure that a balanced budget is adopted for the school district
12 by November 30. If no budget is adopted by November 30, the
13 Superintendent may adopt a budget for the school district. The
14 Superintendent shall report to the Legislature and the Director of
15 Finance by December 10 if any school district, including a school
16 district that has received a waiver of the budget review committee
17 process, does not have an adopted budget by November 30. This
18 report shall include the reasons why a budget has not been adopted
19 by the deadline, the steps being taken to finalize budget adoption,
20 the date the adopted budget is anticipated, and whether the
21 Superintendent has or will exercise his or her authority to adopt a
22 budget for the school district. For the 2011–12 fiscal year,
23 notwithstanding any of the standards and criteria adopted by the
24 state board pursuant to Section 33127, the county superintendent
25 of schools, as a condition on approval of a school district budget,
26 shall not require a school district to project a lower level of revenue
27 per unit of average daily attendance than it received in the 2010–11
28 fiscal year nor require the school district to demonstrate that it is
29 able to meet its financial obligations for the two subsequent fiscal
30 years.

31 (2) Notwithstanding any other law, for the 2014–15 fiscal year
32 and each fiscal year thereafter, if the county superintendent of
33 schools disapproves the budget for the sole reason that the county
34 superintendent of schools has not approved a local control and
35 accountability plan or an annual update to the local control and
36 accountability plan filed by the school district pursuant to Section
37 52061, the county superintendent of schools shall not call for the
38 formation of a budget review committee pursuant to Section
39 42127.1.

1 (h) Not later than October 8, the county superintendent of
2 schools shall submit a report to the Superintendent identifying all
3 school districts for which budgets have been disapproved or budget
4 review committees waived. The report shall include a copy of the
5 written response transmitted to each of those school districts
6 pursuant to paragraph (1) of subdivision (d).

7 (i) Notwithstanding any other provision of this section, the
8 budget review for a school district shall be governed by paragraphs
9 (1), (2), and (3), rather than by subdivisions (e) and (g), if the
10 governing board of the school district so elects and notifies the
11 county superintendent of schools in writing of that decision, not
12 later than October 31 of the immediately preceding calendar year.
13 On or before July 1, the governing board of a school district for
14 which the budget review is governed by this subdivision, rather
15 than by subdivisions (e) and (g), shall conduct a public hearing
16 regarding its proposed budget in accordance with Section 42103.

17 (1) If the adopted budget of a school district is disapproved
18 pursuant to subdivision (d), on or before September 8, the
19 governing board of the school district, in conjunction with the
20 county superintendent of schools, shall review the superintendent's
21 recommendations at a regular meeting of the governing board of
22 the school district and respond to those recommendations. The
23 response shall include any revisions to the adopted budget and
24 other proposed actions to be taken, if any, as a result of those
25 recommendations.

26 (2) On or before September 22, the county superintendent of
27 schools shall provide a list to the Superintendent identifying all
28 school districts for which a budget may be tentatively disapproved.

29 (3) Not later than October 8, after receiving the response
30 required under paragraph (1), the county superintendent of schools
31 shall review that response and either approve or disapprove the
32 budget. Except as provided in paragraph (2) of subdivision (g), if
33 the county superintendent of schools disapproves the budget, he
34 or she shall call for the formation of a budget review committee
35 pursuant to Section 42127.1, unless the governing board of the
36 school district and the county superintendent of schools agree to
37 waive the requirement that a budget review committee be formed
38 and the department approves the waiver after determining that a
39 budget review committee is not necessary. Upon the grant of a
40 waiver, the county superintendent has the authority and

1 responsibility provided to a budget review committee in Section
2 42127.3. Upon approving a waiver of the budget review committee,
3 the department shall ensure that a balanced budget is adopted for
4 the school district by November 30. The Superintendent shall
5 report to the Legislature and the Director of Finance by December
6 10 if any school district, including a school district that has received
7 a waiver of the budget review committee process, does not have
8 an adopted budget by November 30. This report shall include the
9 reasons why a budget has not been adopted by the deadline, the
10 steps being taken to finalize budget adoption, and the date the
11 adopted budget is anticipated. For the 2011–12 fiscal year,
12 notwithstanding any of the standards and criteria adopted by the
13 state board pursuant to Section 33127, the county superintendent
14 of schools, as a condition on approval of a school district budget,
15 shall not require a school district to project a lower level of revenue
16 per unit of average daily attendance than it received in the 2010–11
17 fiscal year nor require the school district to demonstrate that it is
18 able to meet its financial obligations for the two subsequent fiscal
19 years.

20 (4) Not later than 45 days after the Governor signs the annual
21 Budget Act, the school district shall make available for public
22 review any revisions in revenues and expenditures that it has made
23 to its budget to reflect the funding made available by that Budget
24 Act.

25 (j) Any school district for which the county board of education
26 serves as the governing board of the school district is not subject
27 to subdivisions (c) to (h), inclusive, but is governed instead by the
28 budget procedures set forth in Section 1622.

29 SEC. 3. Section 42238.07 of the Education Code is amended
30 to read:

31 42238.07. (a) On or before January 31, 2014, the state board
32 shall adopt regulations that govern the expenditure of funds
33 apportioned on the basis of the number and concentration of
34 unduplicated pupils pursuant to Sections 2574, 2575, 42238.02,
35 and 42238.03. The regulations shall include, but are not limited
36 to, provisions that do all of the following:

37 (1) Require a school district, county office of education, or
38 charter school to increase or improve services for unduplicated
39 pupils in proportion to the increase in funds apportioned on the

1 basis of the number and concentration of unduplicated pupils in
2 the school district, county office of education, or charter school.

3 (2) Authorize a school district, county office of education, or
4 charter school to use funds apportioned on the basis of the number
5 and concentration of unduplicated pupils for schoolwide purposes.
6 The regulations governing the expenditures of moneys for
7 schoolwide purposes shall not be more restrictive than the
8 restrictions provided for in Title I of the federal No Child Left
9 Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.).

10 (3) Authorize a school district or county office of education to
11 use of funds apportioned on the basis of the number and
12 concentration of unduplicated pupils, for school districts, for
13 districtwide purposes, or, for county offices of education, for
14 countywide purposes.

15 (b) The state board may adopt emergency regulations for
16 purposes of this section.

17 SEC. 4. Section 52052 of the Education Code is amended to
18 read:

19 52052. (a) (1) The Superintendent, with approval of the state
20 board, shall develop an Academic Performance Index (API), to
21 measure the performance of schools and school districts, especially
22 the academic performance of pupils.

23 (2) A school or school district shall demonstrate comparable
24 improvement in academic achievement as measured by the API
25 by all numerically significant pupil subgroups at the school or
26 school district, including:

27 (A) Ethnic subgroups.

28 (B) Socioeconomically disadvantaged pupils.

29 (C) English learners.

30 (D) Pupils with disabilities.

31 (E) Foster youth.

32 (F) Reclassified English learners. The inclusion of reclassified
33 English learners in the API shall, at a minimum, be consistent with
34 the manner in which reclassified English learners are included in
35 the determination of adequate yearly progress, as required by
36 Section 6311(b)(2)(B) of the federal No Child Left Behind Act of
37 2001 (20 U.S.C. 6301 et seq.).

38 (3) (A) For purposes of this section, a numerically significant
39 pupil subgroup is one that consists of at least 30 pupils, each of
40 whom has a valid test score.

1 (B) Notwithstanding subparagraph (A), for a subgroup of pupils
2 who are foster youth, a numerically significant pupil subgroup is
3 one that consists of at least 15 pupils.

4 (C) For a school or school district with an API score that is
5 based on no fewer than 11 and no more than 99 pupils with valid
6 test scores, numerically significant pupil subgroups shall be defined
7 by the Superintendent, with approval by the state board.

8 (4) (A) The API shall consist of a variety of indicators currently
9 reported to the department, including, but not limited to, the results
10 of the achievement test administered pursuant to Section 60640,
11 attendance rates for pupils in elementary schools, middle schools,
12 and secondary schools, and the graduation rates for pupils in
13 secondary schools.

14 (B) The Superintendent, with the approval of the state board,
15 may also incorporate into the API the rates at which pupils
16 successfully promote from one grade to the next in middle school
17 and high school, and successfully matriculate from middle school
18 to high school.

19 (C) Graduation rates for pupils in secondary schools shall be
20 calculated for the API as follows:

21 (i) Four-year graduation rates shall be calculated by taking the
22 number of pupils who graduated on time for the current school
23 year, which is considered to be three school years after the pupils
24 entered grade 9 for the first time, and dividing that number by the
25 total calculated in clause (ii).

26 (ii) The number of pupils entering grade 9 for the first time in
27 the school year three school years before the current school year,
28 plus the number of pupils who transferred into the class graduating
29 at the end of the current school year between the school year that
30 was three school years before the current school year and the date
31 of graduation, less the number of pupils who transferred out of the
32 school between the school year that was three school years before
33 the current school year and the date of graduation who were
34 members of the class that is graduating at the end of the current
35 school year.

36 (iii) Five-year graduation rates shall be calculated by taking the
37 number of pupils who graduated on time for the current school
38 year, which is considered to be four school years after the pupils
39 entered grade 9 for the first time, and dividing that number by the
40 total calculated in clause (iv).

1 (iv) The number of pupils entering grade 9 for the first time in
2 the school year four years before the current school year, plus the
3 number of pupils who transferred into the class graduating at the
4 end of the current school year between the school year that was
5 four school years before the current school year and the date of
6 graduation, less the number of pupils who transferred out of the
7 school between the school year that was four years before the
8 current school year and the date of graduation who were members
9 of the class that is graduating at the end of the current school year.

10 (v) Six-year graduation rates shall be calculated by taking the
11 number of pupils who graduated on time for the current school
12 year, which is considered to be five school years after the pupils
13 entered grade 9 for the first time, and dividing that number by the
14 total calculated in clause (vi).

15 (vi) The number of pupils entering grade 9 for the first time in
16 the school year five years before the current school year, plus the
17 number of pupils who transferred into the class graduating at the
18 end of the current school year between the school year that was
19 five school years before the current school year and the date of
20 graduation, less the number of pupils who transferred out of the
21 school between the school year that was five years before the
22 current school year and the date of graduation who were members
23 of the class that is graduating at the end of the current school year.

24 (D) The inclusion of five- and six-year graduation rates for
25 pupils in secondary schools shall meet the following requirements:

26 (i) Schools shall be granted one-half the credit in their API
27 scores for graduating pupils in five years that they are granted for
28 graduating pupils in four years.

29 (ii) Schools and school districts shall be granted one-quarter the
30 credit in their API scores for graduating pupils in six years that
31 they are granted for graduating pupils in four years.

32 (iii) Notwithstanding clauses (i) and (ii), schools and school
33 districts shall be granted full credit in their API scores for
34 graduating in five or six years a pupil with disabilities who
35 graduates in accordance with his or her individualized education
36 program.

37 (E) The pupil data collected for the API that comes from the
38 achievement test administered pursuant to Section 60640 and the
39 high school exit examination administered pursuant to Section
40 60851, when fully implemented, shall be disaggregated by special

1 education status, English learners, socioeconomic status, gender,
2 and ethnic group. Only the test scores of pupils who were counted
3 as part of the enrollment in the annual data collection of the
4 California Basic Educational Data System for the current fiscal
5 year and who were continuously enrolled during that year may be
6 included in the test result reports in the API score of the school.

7 (F) (i) Commencing with the baseline API calculation in 2016,
8 and for each year thereafter, results of the achievement test and
9 other tests specified in subdivision (b) shall constitute no more
10 than 60 percent of the value of the index for secondary schools.

11 (ii) In addition to the elements required by this paragraph, the
12 Superintendent, with approval of the state board, may incorporate
13 into the index for secondary schools valid, reliable, and stable
14 measures of pupil preparedness for postsecondary education and
15 career.

16 (G) Results of the achievement test and other tests specified in
17 subdivision (b) shall constitute at least 60 percent of the value of
18 the index for primary schools and middle schools.

19 (H) It is the intent of the Legislature that the state's system of
20 public school accountability be more closely aligned with both the
21 public's expectations for public education and the workforce needs
22 of the state's economy. It is therefore necessary that the
23 accountability system evolve beyond its narrow focus on pupil test
24 scores to encompass other valuable information about school
25 performance, including, but not limited to, pupil preparedness for
26 college and career, as well as the high school graduation rates
27 already required by law.

28 (I) The Superintendent shall annually determine the accuracy
29 of the graduation rate data. Notwithstanding any other law,
30 graduation rates for pupils in dropout recovery high schools shall
31 not be included in the API. For purposes of this subparagraph,
32 "dropout recovery high school" means a high school in which 50
33 percent or more of its pupils have been designated as dropouts
34 pursuant to the exit/withdrawal codes developed by the department
35 or left a school and were not otherwise enrolled in a school for a
36 period of at least 180 days.

37 (J) To complement the API, the Superintendent, with the
38 approval of the state board, may develop and implement a program
39 of school quality review that features locally convened panels to
40 visit schools, observe teachers, interview pupils, and examine pupil

1 work, if an appropriation for this purpose is made in the annual
2 Budget Act.

3 (K) The Superintendent shall annually provide to local
4 educational agencies and the public a transparent and
5 understandable explanation of the individual components of the
6 API and their relative values within the API.

7 (L) An additional element chosen by the Superintendent and
8 the state board for inclusion in the API pursuant to this paragraph
9 shall not be incorporated into the API until at least one full school
10 year after the state board's decision to include the element into the
11 API.

12 (b) Pupil scores from the following tests, when available and
13 when found to be valid and reliable for this purpose, shall be
14 incorporated into the API:

15 (1) The standards-based achievement tests provided for in
16 Section 60642.5.

17 (2) The high school exit examination.

18 (c) Based on the API, the Superintendent shall develop, and the
19 state board shall adopt, expected annual percentage growth targets
20 for all schools based on their API baseline score from the previous
21 year. Schools are expected to meet these growth targets through
22 effective allocation of available resources. For schools below the
23 statewide API performance target adopted by the state board
24 pursuant to subdivision (d), the minimum annual percentage growth
25 target shall be 5 percent of the difference between the actual API
26 score of a school and the statewide API performance target, or one
27 API point, whichever is greater. Schools at or above the statewide
28 API performance target shall have, as their growth target,
29 maintenance of their API score above the statewide API
30 performance target. However, the state board may set differential
31 growth targets based on grade level of instruction and may set
32 higher growth targets for the lowest performing schools because
33 they have the greatest room for improvement. To meet its growth
34 target, a school shall demonstrate that the annual growth in its API
35 is equal to or more than its schoolwide annual percentage growth
36 target and that all numerically significant pupil subgroups, as
37 defined in subdivision (a), are making comparable improvement.

38 (d) Upon adoption of state performance standards by the state
39 board, the Superintendent shall recommend, and the state board
40 shall adopt, a statewide API performance target that includes

1 consideration of performance standards and represents the
2 proficiency level required to meet the state performance target.

3 (e) (1) A school or school district with 11 to 99 pupils with
4 valid test scores shall receive an API score with an asterisk that
5 indicates less statistical certainty than API scores based on 100 or
6 more test scores.

7 (2) A school or school district annually shall receive an API
8 score, unless the Superintendent determines that an API score
9 would be an invalid measure of the performance of the school or
10 school district for one or more of the following reasons:

11 (A) Irregularities in testing procedures occurred.

12 (B) The data used to calculate the API score of the school or
13 school district are not representative of the pupil population at the
14 school or school district.

15 (C) Significant demographic changes in the pupil population
16 render year-to-year comparisons of pupil performance invalid.

17 (D) The department discovers or receives information indicating
18 that the integrity of the API score has been compromised.

19 (E) Insufficient pupil participation in the assessments included
20 in the API.

21 (3) If a school or school district has fewer than 100 pupils with
22 valid test scores, the calculation of the API or adequate yearly
23 progress pursuant to the federal No Child Left Behind Act of 2001
24 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be
25 calculated over more than one annual administration of the tests
26 administered pursuant to Section 60640 and the high school exit
27 examination administered pursuant to Section 60851, consistent
28 with regulations adopted by the state board.

29 (f) Only schools with 100 or more test scores contributing to
30 the API may be included in the API rankings.

31 (g) The Superintendent, with the approval of the state board,
32 shall develop an alternative accountability system for schools under
33 the jurisdiction of a county board of education or a county
34 superintendent of schools, community day schools, nonpublic,
35 nonsectarian schools pursuant to Section 56366, and alternative
36 schools serving high-risk pupils, including continuation high
37 schools and opportunity schools. Schools in the alternative
38 accountability system may receive an API score, but shall not be
39 included in the API rankings.

1 (h) For purposes of this section, county offices of education
2 shall be considered school districts.

3 SEC. 4.5. Section 52052 of the Education Code is amended to
4 read:

5 52052. (a) (1) The Superintendent, with approval of the state
6 board, shall develop an Academic Performance Index (API), to
7 measure the performance of schools and school districts, especially
8 the academic performance of pupils.

9 (2) A school or school district shall demonstrate comparable
10 improvement in academic achievement as measured by the API
11 by all numerically significant pupil subgroups at the school or
12 school district, including:

13 (A) Ethnic subgroups.

14 (B) Socioeconomically disadvantaged pupils.

15 (C) English learners.

16 (D) Pupils with disabilities.

17 (E) Foster youth.

18 (F) Reclassified English learners. The inclusion of reclassified
19 English learners in the API shall, at a minimum, be consistent with
20 the manner in which reclassified English learners are included in
21 the determination of adequate yearly progress, as required by
22 Section 6311(b)(2)(B) of the federal No Child Left Behind Act of
23 2001 (20 U.S.C. Sec. 6301 et seq.).

24 (3) (A) For purposes of this section, a numerically significant
25 pupil subgroup is one that consists of at least 30 pupils, each of
26 whom has a valid test score.

27 (B) Notwithstanding subparagraph (A), for a subgroup of pupils
28 who are foster youth, a numerically significant pupil subgroup is
29 one that consists of at least 15 pupils.

30 (C) For a school or school district with an API score that is
31 based on no fewer than 11 and no more than 99 pupils with valid
32 test scores, numerically significant pupil subgroups shall be defined
33 by the Superintendent, with approval by the state board.

34 (4) (A) The API shall consist of a variety of indicators currently
35 reported to the department, including, but not limited to, the results
36 of the achievement test administered pursuant to Section 60640,
37 attendance rates for pupils in elementary schools, middle schools,
38 and secondary schools, and the graduation rates for pupils in
39 secondary schools.

1 (B) The Superintendent, with the approval of the state board,
2 may also incorporate into the API the rates at which pupils
3 successfully promote from one grade to the next in middle school
4 and high school, and successfully matriculate from middle school
5 to high school.

6 (C) Graduation rates for pupils in secondary schools shall be
7 calculated for the API as follows:

8 (i) Four-year graduation rates shall be calculated by taking the
9 number of pupils who graduated on time for the current school
10 year, which is considered to be three school years after the pupils
11 entered grade 9 for the first time, and dividing that number by the
12 total calculated in clause (ii).

13 (ii) The number of pupils entering grade 9 for the first time in
14 the school year three school years before the current school year,
15 plus the number of pupils who transferred into the class graduating
16 at the end of the current school year between the school year that
17 was three school years before the current school year and the date
18 of graduation, less the number of pupils who transferred out of the
19 school between the school year that was three school years before
20 the current school year and the date of graduation who were
21 members of the class that is graduating at the end of the current
22 school year.

23 (iii) Five-year graduation rates shall be calculated by taking the
24 number of pupils who graduated on time for the current school
25 year, which is considered to be four school years after the pupils
26 entered grade 9 for the first time, and dividing that number by the
27 total calculated in clause (iv).

28 (iv) The number of pupils entering grade 9 for the first time in
29 the school year four years before the current school year, plus the
30 number of pupils who transferred into the class graduating at the
31 end of the current school year between the school year that was
32 four school years before the current school year and the date of
33 graduation, less the number of pupils who transferred out of the
34 school between the school year that was four years before the
35 current school year and the date of graduation who were members
36 of the class that is graduating at the end of the current school year.

37 (v) Six-year graduation rates shall be calculated by taking the
38 number of pupils who graduated on time for the current school
39 year, which is considered to be five school years after the pupils

1 entered grade 9 for the first time, and dividing that number by the
2 total calculated in clause (vi).

3 (vi) The number of pupils entering grade 9 for the first time in
4 the school year five years before the current school year, plus the
5 number of pupils who transferred into the class graduating at the
6 end of the current school year between the school year that was
7 five school years before the current school year and the date of
8 graduation, less the number of pupils who transferred out of the
9 school between the school year that was five years before the
10 current school year and the date of graduation who were members
11 of the class that is graduating at the end of the current school year.

12 (D) The inclusion of five- and six-year graduation rates for
13 pupils in secondary schools shall meet the following requirements:

14 (i) Schools and school districts shall be granted one-half the
15 credit in their API scores for graduating pupils in five years that
16 they are granted for graduating pupils in four years.

17 (ii) Schools and school districts shall be granted one-quarter the
18 credit in their API scores for graduating pupils in six years that
19 they are granted for graduating pupils in four years.

20 (iii) Notwithstanding clauses (i) and (ii), schools and school
21 districts shall be granted full credit in their API scores for
22 graduating in five or six years a pupil with disabilities who
23 graduates in accordance with his or her individualized education
24 program.

25 (E) The pupil data collected for the API that comes from the
26 achievement test administered pursuant to Section 60640 and the
27 high school exit examination administered pursuant to Section
28 60851, when fully implemented, shall be disaggregated by special
29 education status, English learners, socioeconomic status, gender,
30 and ethnic group. Only the test scores of pupils who were counted
31 as part of the enrollment in the annual data collection of the
32 California Basic Educational Data System for the current fiscal
33 year and who were continuously enrolled during that year may be
34 included in the test result reports in the API score of the school.

35 (F) (i) Commencing with the baseline API calculation in 2016,
36 and for each year thereafter, results of the achievement test and
37 other tests specified in subdivision (b) shall constitute no more
38 than 60 percent of the value of the index for secondary schools.

39 (ii) In addition to the elements required by this paragraph, the
40 Superintendent, with approval of the state board, may incorporate

1 into the index for secondary schools valid, reliable, and stable
2 measures of pupil preparedness for postsecondary education and
3 career.

4 (G) Results of the achievement test and other tests specified in
5 subdivision (b) shall constitute at least 60 percent of the value of
6 the index for primary schools and middle schools.

7 (H) It is the intent of the Legislature that the state’s system of
8 public school accountability be more closely aligned with both the
9 public’s expectations for public education and the workforce needs
10 of the state’s economy. It is therefore necessary that the
11 accountability system evolve beyond its narrow focus on pupil test
12 scores to encompass other valuable information about school
13 performance, including, but not limited to, pupil preparedness for
14 college and career, as well as the high school graduation rates
15 already required by law.

16 (I) The Superintendent shall annually determine the accuracy
17 of the graduation rate data. Notwithstanding any other law,
18 graduation rates for pupils in dropout recovery high schools shall
19 not be included in the API. For purposes of this subparagraph,
20 “dropout recovery high school” means a high school in which 50
21 percent or more of its pupils have been designated as dropouts
22 pursuant to the exit/withdrawal codes developed by the department
23 or left a school and were not otherwise enrolled in a school for a
24 period of at least 180 days.

25 (J) To complement the API, the Superintendent, with the
26 approval of the state board, may develop and implement a program
27 of school quality review that features locally convened panels to
28 visit schools, observe teachers, interview pupils, and examine pupil
29 work, if an appropriation for this purpose is made in the annual
30 Budget Act.

31 (K) The Superintendent shall annually provide to local
32 educational agencies and the public a transparent and
33 understandable explanation of the individual components of the
34 API and their relative values within the API.

35 (L) An additional element chosen by the Superintendent and
36 the state board for inclusion in the API pursuant to this paragraph
37 shall not be incorporated into the API until at least one full school
38 year after the state board’s decision to include the element into the
39 API.

1 (b) Pupil scores from the following tests, when available and
2 when found to be valid and reliable for this purpose, shall be
3 incorporated into the API:

4 (1) The standards-based achievement tests provided for in
5 Section 60642.5.

6 (2) The high school exit examination.

7 (c) Based on the API, the Superintendent shall develop, and the
8 state board shall adopt, expected annual percentage growth targets
9 for all schools based on their API baseline score from the previous
10 year. Schools are expected to meet these growth targets through
11 effective allocation of available resources. For schools below the
12 statewide API performance target adopted by the state board
13 pursuant to subdivision (d), the minimum annual percentage growth
14 target shall be 5 percent of the difference between the actual API
15 score of a school and the statewide API performance target, or one
16 API point, whichever is greater. Schools at or above the statewide
17 API performance target shall have, as their growth target,
18 maintenance of their API score above the statewide API
19 performance target. However, the state board may set differential
20 growth targets based on grade level of instruction and may set
21 higher growth targets for the lowest performing schools because
22 they have the greatest room for improvement. To meet its growth
23 target, a school shall demonstrate that the annual growth in its API
24 is equal to or more than its schoolwide annual percentage growth
25 target and that all numerically significant pupil subgroups, as
26 defined in subdivision (a), are making comparable improvement.

27 (d) Upon adoption of state performance standards by the state
28 board, the Superintendent shall recommend, and the state board
29 shall adopt, a statewide API performance target that includes
30 consideration of performance standards and represents the
31 proficiency level required to meet the state performance target.

32 (e) (1) A school or school district with 11 to 99 pupils with
33 valid test scores shall receive an API score with an asterisk that
34 indicates less statistical certainty than API scores based on 100 or
35 more test scores.

36 (2) A school or school district annually shall receive an API
37 score, unless the Superintendent determines that an API score
38 would be an invalid measure of the performance of the school or
39 school district for one or more of the following reasons:

40 (A) Irregularities in testing procedures occurred.

- 1 (B) The data used to calculate the API score of the school or
2 school district are not representative of the pupil population at the
3 school or school district.
- 4 (C) Significant demographic changes in the pupil population
5 render year-to-year comparisons of pupil performance invalid.
- 6 (D) The department discovers or receives information indicating
7 that the integrity of the API score has been compromised.
- 8 (E) Insufficient pupil participation in the assessments included
9 in the API.
- 10 (F) A transition to new standards-based assessments
11 compromises comparability of results across schools or school
12 districts. The Superintendent may use the authority in this
13 subparagraph in the 2013–14 and 2014–15 school years only, with
14 approval of the state board.
- 15 (3) If a school or school district has fewer than 100 pupils with
16 valid test scores, the calculation of the API or adequate yearly
17 progress pursuant to the federal No Child Left Behind Act of 2001
18 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be
19 calculated over more than one annual administration of the tests
20 administered pursuant to Section 60640 and the high school exit
21 examination administered pursuant to Section 60851, consistent
22 with regulations adopted by the state board.
- 23 (4) Any school or school district that does not receive an API
24 calculated pursuant to subparagraph (F) of paragraph (2) shall not
25 receive an API growth target pursuant to subdivision (c). Schools
26 and school districts that do not have an API calculated pursuant
27 to subparagraph (F) of paragraph (2) shall use one of the following:
 - 28 (A) The most recent API calculation.
 - 29 (B) An average of the three most recent annual API calculations.
 - 30 (C) Alternative measures that show increases in pupil academic
31 achievement for all groups of pupils schoolwide and among
32 significant subgroups.
- 33 (f) Only schools with 100 or more test scores contributing to
34 the API may be included in the API rankings.
- 35 (g) The Superintendent, with the approval of the state board,
36 shall develop an alternative accountability system for schools under
37 the jurisdiction of a county board of education or a county
38 superintendent of schools, community day schools, nonpublic,
39 nonsectarian schools pursuant to Section 56366, and alternative
40 schools serving high-risk pupils, including continuation high

1 schools and opportunity schools. Schools in the alternative
2 accountability system may receive an API score, but shall not be
3 included in the API rankings.

4 (h) For purposes of this section, county offices of education
5 shall be considered school districts.

6 SEC. 5. Section 52060 of the Education Code is amended to
7 read:

8 52060. (a) On or before July 1, 2014, the governing board of
9 each school district shall adopt a local control and accountability
10 plan using a template adopted by the state board.

11 (b) A local control and accountability plan adopted by a
12 governing board of a school district shall be effective for a period
13 of three years, and shall be updated on or before July 1 of each
14 year.

15 (c) A local control and accountability plan adopted by a
16 governing board of a school district shall include, for the school
17 district and each school within the school district, a description of
18 all of the following:

19 (1) The annual goals, for all pupils and each subgroup of pupils
20 identified pursuant to Section 52052, to be achieved for each of
21 the state priorities identified in subdivision (d) and for any
22 additional local priorities identified by the governing board of the
23 school district. For purposes of this article, a subgroup of pupils
24 identified pursuant to Section 52052 shall be a numerically
25 significant pupil subgroup as specified in paragraphs (2) and (3)
26 of subdivision (a) of Section 52052.

27 (2) The specific actions the school district will take during each
28 year of the local control and accountability plan to achieve the
29 goals identified in paragraph (1), including the enumeration of any
30 specific actions necessary for that year to correct any deficiencies
31 in regard to the state priorities listed in paragraph (1) of subdivision
32 (d).

33 (3) A listing and description of the expenditures for the initial
34 fiscal year implementing the specific actions included in the local
35 control and accountability plan.

36 (4) A listing and description of the expenditures for the initial
37 fiscal year that will serve pupils to whom one or more of the
38 definitions in Section 42238.01 apply and pupils reclassified as
39 fluent English proficient.

40 (d) All of the following are state priorities:

1 (1) The degree to which the teachers of the school district are
2 appropriately assigned in accordance with Section 44258.9, and
3 fully credentialed in the subject areas, and, for the pupils they are
4 teaching, every pupil in the school district has sufficient access to
5 the standards-aligned instructional materials as determined pursuant
6 to Section 60119, and school facilities are maintained in good
7 repair as specified in subdivision (d) of Section 17002.

8 (2) Implementation of the academic content and performance
9 standards adopted by the state board, including how the programs
10 and services will enable English learners to access the common
11 core academic content standards adopted pursuant to Section
12 60605.8 and the English language development standards adopted
13 pursuant to Section 60811.3 for purposes of gaining academic
14 content knowledge and English language proficiency.

15 (3) Parental involvement, including efforts the school district
16 makes to seek parent input in making decisions for the school
17 district and each individual schoolsite, and including how the
18 school district will promote parental participation in programs for
19 unduplicated pupils and individuals with exceptional needs.

20 (4) Pupil achievement, including for each subgroup as identified
21 in Section 52052, as measured by all of the following, as
22 applicable:

23 (A) Statewide assessments administered pursuant to Article 4
24 (commencing with Section 60640) of Chapter 5 of Part 33 or any
25 subsequent assessment, as certified by the state board.

26 (B) The Academic Performance Index, as described in Section
27 52052.

28 (C) The percentage of pupils who have successfully completed
29 courses that satisfy the requirements for entrance to the University
30 of California and the California State University, or career technical
31 education sequences or clusters of courses that satisfy the
32 requirements of subdivision (a) of Section 52302, subdivision (a)
33 of Section 52372.5, or paragraph (2) of subdivision (e) of Section
34 54692, and align with state board-approved career technical
35 education standards and frameworks.

36 (D) The percentage of English learner pupils who make progress
37 toward English proficiency as measured by the California English
38 Language Development Test or any subsequent assessment of
39 English proficiency, as certified by the state board.

40 (E) The English learner reclassification rate.

1 (F) The percentage of pupils who have passed an advanced
2 placement examination with a score of 3 or higher.

3 (G) The percentage of pupils who participate in, and demonstrate
4 college preparedness pursuant to, the Early Assessment Program,
5 as described in Chapter 6 (commencing with Section 99300) of
6 Part 65 of Division 14 of Title 3, or any subsequent assessment of
7 college preparedness.

8 (5) Pupil engagement, as measured by all of the following, as
9 applicable:

10 (A) School attendance rates.

11 (B) Chronic absenteeism rates.

12 (C) Middle school dropout rates, as described in paragraph (3)
13 of subdivision (a) of Section 52052.1.

14 (D) High school dropout rates.

15 (E) High school graduation rates.

16 (6) School climate, as measured by all of the following, as
17 applicable:

18 (A) Pupil suspension rates.

19 (B) Pupil expulsion rates.

20 (C) Other local measures, including surveys of pupils, parents,
21 and teachers on the sense of safety and school connectedness.

22 (7) The extent to which pupils have access to, and are enrolled
23 in, a broad course of study that includes all of the subject areas
24 described in Section 51210 and subdivisions (a) to (i), inclusive,
25 of Section 51220, as applicable, including the programs and
26 services developed and provided to unduplicated pupils and
27 individuals with exceptional needs, and the program and services
28 that are provided to benefit these pupils as a result of the funding
29 received pursuant to Section 42238.02, as implemented by Section
30 42238.03.

31 (8) Pupil outcomes, if available, in the subject areas described
32 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
33 51220, as applicable.

34 (9) The extent to which teachers, administrators, and staff
35 receive professional development or participate in induction
36 programs, including the type and subject areas of the professional
37 development provided.

38 (e) For purposes of the descriptions required by subdivision (c),
39 a governing board of a school district may consider qualitative
40 information, including, but not limited to, findings that result from

1 school quality reviews conducted pursuant to subparagraph (J) ~~or~~
2 of paragraph (4) of subdivision (a) of Section 52052 or any other
3 reviews.

4 (f) To the extent practicable, data reported in a local control and
5 accountability plan shall be reported in a manner consistent with
6 how information is reported on a school accountability report card.

7 (g) A governing board of a school district shall consult with
8 teachers, principals, administrators, other school personnel, parents,
9 and pupils in developing a local control and accountability plan.

10 (h) A school district may identify local priorities, goals in regard
11 to the local priorities, and the method for measuring the school
12 district's progress toward achieving those goals.

13 SEC. 5.5. Section 52060 of the Education Code is amended to
14 read:

15 52060. (a) On or before July 1, 2014, the governing board of
16 each school district shall adopt a local control and accountability
17 plan using a template adopted by the state board.

18 (b) A local control and accountability plan adopted by a
19 governing board of a school district shall be effective for a period
20 of three years, and shall be updated on or before July 1 of each
21 year.

22 (c) A local control and accountability plan adopted by a
23 governing board of a school district shall include, for the school
24 district and each school within the school district, all of the
25 following:

26 (1) A description of the annual goals, for all pupils and each
27 subgroup of pupils identified pursuant to Section 52052, to be
28 achieved for each of the state priorities identified in subdivision
29 (d) and for any additional local priorities identified by the
30 governing board of the school district. For purposes of this article,
31 a subgroup of pupils identified pursuant to Section 52052 shall be
32 a numerically significant pupil subgroup as specified in paragraphs
33 (2) and (3) of subdivision (a) of Section 52052.

34 (2) A description of the specific actions the school district will
35 take during each year of the local control and accountability plan
36 to achieve the goals identified in paragraph (1), including the
37 enumeration of any specific actions necessary for that year to
38 correct any deficiencies in regard to the state priorities listed in
39 paragraph (1) of subdivision (d). The specific actions shall ~~be~~
40 ~~consistent with~~ *not supersede the provisions of existing local*

1 collective bargaining agreements within the jurisdiction of the
2 school ~~districts~~. *district*.

3 (3) A listing and description of the expenditures for the initial
4 ~~and 2014–15 fiscal years~~ *fiscal year* implementing the specific
5 actions included in the local control and accountability plan.

6 (4) A listing and description of the expenditures for the initial
7 ~~and 2014–15 fiscal years~~ *fiscal year* that will serve pupils to whom
8 one or more of the definitions in Section 42238.01 apply, and
9 pupils reclassified or redesignated as fluent English proficient.

10 (d) All of the following are state priorities:

11 (1) The degree to which the teachers of the school district are
12 appropriately assigned in accordance with Section 44258.9, and
13 fully credentialed in the subject areas, and, for the pupils they are
14 teaching, every pupil in the school district has sufficient access to
15 the standards-aligned instructional materials as determined pursuant
16 to Section 60119, and school facilities are maintained in good
17 repair as specified in subdivision (d) of Section 17002.

18 (2) Implementation of the academic content and performance
19 standards adopted by the state board, including how the programs
20 and services will enable English learners to access the common
21 core academic content standards adopted pursuant to Section
22 60605.8 and the English language development standards adopted
23 pursuant to Section 60811.3 for purposes of gaining academic
24 content knowledge and English language proficiency.

25 (3) Parental involvement, including efforts the school district
26 makes to seek parent input in making decisions for the school
27 district and each individual schoolsite, and including how the
28 school district will promote parental participation in programs for
29 unduplicated pupils and individuals with exceptional needs.

30 (4) Pupil achievement, including for each subgroup as identified
31 in Section 52052, as measured by all of the following, as
32 applicable:

33 (A) Statewide assessments administered pursuant to Article 4
34 (commencing with Section 60640) of Chapter 5 of Part 33 or any
35 subsequent assessment, as certified by the state board.

36 (B) The Academic Performance Index, as described in Section
37 52052.

38 (C) The percentage of pupils who have successfully completed
39 courses that satisfy the requirements for entrance to the University
40 of California and the California State University, or career technical

1 education sequences or programs of study that align with state
2 board-approved career technical educational standards and
3 frameworks, including, but not limited to, those described in
4 subdivision (a) of Section 52302, subdivision (a) of Section
5 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

6 (D) The percentage of English learner pupils who make progress
7 toward English proficiency as measured by the California English
8 Language Development Test or any subsequent assessment of
9 English proficiency, as certified by the state board.

10 (E) The English learner reclassification rate.

11 (F) The percentage of pupils who have passed an advanced
12 placement examination with a score of 3 or higher.

13 (G) The percentage of pupils who participate in, and demonstrate
14 college preparedness pursuant to, the Early Assessment Program,
15 as described in Chapter 6 (commencing with Section 99300) of
16 Part 65 of Division 14 of Title 3, or any subsequent assessment of
17 college preparedness.

18 (5) Pupil engagement, as measured by all of the following, as
19 applicable:

20 (A) School attendance rates.

21 (B) Chronic absenteeism rates.

22 (C) Middle school dropout rates, as described in paragraph (3)
23 of subdivision (a) of Section 52052.1.

24 (D) High school dropout rates.

25 (E) High school graduation rates.

26 (6) School climate, as measured by all of the following, as
27 applicable:

28 (A) Pupil suspension rates.

29 (B) Pupil expulsion rates.

30 (C) Other local measures, including surveys of pupils, parents,
31 and teachers on the sense of safety and school connectedness.

32 (7) The extent to which pupils have access to, and are enrolled
33 in, a broad course of study that includes all of the subject areas
34 described in Section 51210 and subdivisions (a) to (i), inclusive,
35 of Section 51220, as applicable, including the programs and
36 services developed and provided to unduplicated pupils and
37 individuals with exceptional needs, and the program and services
38 that are provided to benefit these pupils as a result of the funding
39 received pursuant to Section 42238.02, as implemented by Section
40 42238.03.

1 (8) Pupil outcomes, if available, in the subject areas described
2 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
3 51220, as applicable.

4 (9) The extent to which teachers, administrators, and staff
5 receive professional development or participate in induction
6 programs, including the type and subject areas of the professional
7 development provided.

8 (e) For purposes of the descriptions required by subdivision (c),
9 a governing board of a school district may consider qualitative
10 information, including, but not limited to, findings that result from
11 school quality reviews conducted pursuant to subparagraph (J) ~~or~~
12 of paragraph (4) of subdivision (a) of Section 52052 or any other
13 reviews.

14 (f) To the extent practicable, data reported in a local control and
15 accountability plan shall be reported in a manner consistent with
16 how information is reported on a school accountability report card.

17 (g) A governing board of a school district shall consult with
18 teachers, principals, administrators, other school personnel, local
19 bargaining units of the school district, parents, and pupils in
20 developing a local control and accountability plan.

21 (h) A school district may identify local priorities, goals in regard
22 to the local priorities, and the method for measuring the school
23 district's progress toward achieving those goals.

24 SEC. 6. Section 52061 of the Education Code is amended to
25 read:

26 52061. (a) On or before July 1, 2015, and each year thereafter,
27 a school district shall update the local control and accountability
28 plan. The annual update shall be developed using a template
29 developed pursuant to Section 52064 and shall include all of the
30 following:

31 (1) A review of any changes in the applicability of the goals
32 described in paragraph (1) of subdivision (c) of Section 52060.

33 (2) A review of the progress toward the goals included in the
34 existing local control and accountability plan, an assessment of
35 the effectiveness of the specific actions described in the existing
36 local control and accountability plan toward achieving the goals,
37 and a description of changes to the specific actions the school
38 district will make as a result of the review and assessment.

39 (3) A listing and description of the expenditures for the fiscal
40 year implementing the specific actions included in the local control

1 and accountability plan and the changes to the specific actions
2 made as a result of the reviews and assessment required by
3 paragraphs (1) and (2).

4 (4) A listing and description of expenditures for the fiscal year
5 that will serve the pupils to whom one or more of the definitions
6 in Section 42238.01 apply and pupils redesignated as fluent English
7 proficient.

8 (b) The expenditures identified in subdivision (a) of this section
9 and subdivision (c) of Section 52060 shall be classified using the
10 California School Accounting Manual pursuant to Section 41010.

11 SEC. 7. Section 52062 of the Education Code is amended to
12 read:

13 52062. (a) Before the governing board of a school district
14 considers the adoption of a local control and accountability plan
15 or an annual update to the local control and accountability plan,
16 all of the following shall occur:

17 (1) The superintendent of the school district shall present the
18 local control and accountability plan or annual update to the local
19 control and accountability plan to the parent advisory committee
20 established pursuant to Section 52063 for review and comment.
21 The superintendent of the school district shall respond, in writing,
22 to comments received from the parent advisory committee.

23 (2) The superintendent of the school district shall present the
24 local control and accountability plan or annual update to the local
25 control and accountability plan to the English learner parent
26 advisory committee established pursuant to Section 52063, if
27 applicable, for review and comment. The superintendent of the
28 school district shall respond, in writing, to comments received
29 from the English learner parent advisory committee.

30 (3) The superintendent of the school district shall notify
31 members of the public of the opportunity to submit written
32 comments regarding the specific actions and expenditures proposed
33 to be included in the local control and accountability plan or annual
34 update to the local control and accountability plan, using the most
35 efficient method of notification possible. This paragraph shall not
36 require a school district to produce printed notices or to send
37 notices by mail. The superintendent of the school district shall
38 ensure that all written notifications related to the local control and
39 accountability plan or annual update to the local control and
40 accountability plan are provided consistent with Section 48985.

1 (4) The superintendent of the school district shall review school
2 plans submitted pursuant to Section 64001 for schools within the
3 school district and ensure that the specific actions included in the
4 local control and accountability plan or annual update to the local
5 control and accountability plan are consistent with strategies
6 included in the school plans submitted pursuant to Section 64001.

7 (b) (1) A governing board of a school district shall hold at least
8 one public hearing to solicit the recommendations and comments
9 of members of the public regarding the specific actions and
10 expenditures proposed to be included in the local control and
11 accountability plan or annual update to the local control and
12 accountability plan. The agenda for the public hearing shall be
13 posted at least 72 hours before the public hearing and shall include
14 the location where the local control and accountability plan or
15 annual update to the local control and accountability plan will be
16 available for public inspection. The public hearing shall be held
17 at the same meeting as the public hearing required by paragraph
18 (1) of subdivision (a) of Section 42127.

19 (2) A governing board of a school district shall adopt a local
20 control and accountability plan or annual update to the local control
21 and accountability plan in a public meeting. This meeting shall be
22 held after, but not on the same day as, the public hearing held
23 pursuant to paragraph (1). This meeting shall be the same meeting
24 as that during which the governing board of the school district
25 adopts a budget pursuant to paragraph (2) of subdivision (a) of
26 Section 42127.

27 (c) A governing board of a school district may adopt revisions
28 to a local control and accountability plan during the period the
29 local control and accountability plan is in effect. A governing board
30 of a school district may only adopt a revision to a local control
31 and accountability plan if it follows the process to adopt a local
32 control and accountability plan pursuant to this section and the
33 revisions are adopted in a public meeting.

34 SEC. 8. Section 52063 of the Education Code is amended to
35 read:

36 52063. (a) (1) The governing board of a school district shall
37 establish a districtwide parent advisory committee to provide advice
38 to the governing board of the school district and the superintendent
39 of the school district regarding the requirements of this article.

1 (2) A parent advisory committee shall include parents or legal
2 guardians of pupils to whom one or more of the definitions in
3 Section 42238.01 apply.

4 (3) This subdivision shall not require the governing board of
5 the school district to establish a new districtwide parent advisory
6 committee if the governing board of the school district already has
7 established a districtwide parent advisory committee that meets
8 the requirements of this subdivision, including any committee
9 established to meet the requirements of the federal No Child Left
10 Behind Act of 2001 (Public Law 107-110) pursuant to Section
11 1112 of Subpart 1 of Part A of Title I of that act.

12 (b) As a condition of receipt of state supplemental grant funds,
13 the governing board of a school district shall establish a districtwide
14 English learner parent advisory committee if the enrollment of the
15 school district includes at least 15 percent English learners or the
16 school district enrolls at least 50 pupils who are English learners.

17 (c) Districtwide English learner parent advisory committees
18 shall advise the governing board of the school district on at least
19 the following tasks:

20 (1) Establishment of school district goals and objectives for
21 programs and services for English learners to ensure that the
22 academic and language proficiency needs of English learners,
23 including long-term English learners and English learners at risk
24 of becoming long-term English learners, as defined in Section
25 313.1, are being met.

26 (2) Administration of the home language survey.

27 (3) School district reclassification procedures, consistent with
28 the procedures developed pursuant to subdivision (f) of Section
29 313.

30 (d) This section shall not require the governing board of the
31 school district to establish a new districtwide English learner parent
32 advisory committee if the governing board of the school district
33 already has established a school district level parent advisory
34 committee that meets the applicable requirements of this section.

35 SEC. 9. Section 52064 of the Education Code is amended to
36 read:

37 52064. (a) On or before March 31, 2014, the state board shall
38 adopt templates for the following purposes:

39 (1) For use by school districts to meet the requirements of
40 Sections 52060 to 52063, inclusive.

1 (2) For use by county superintendents of schools to meet the
2 requirements of Sections 52066 to 52069, inclusive.

3 (3) For use by charter schools to meet the requirements of
4 Section 47606.5.

5 (b) The templates developed by the state board shall allow a
6 school district, county superintendent of schools, or charter school
7 to complete a single local control and accountability plan to meet
8 the requirements of this article, the requirements of the federal No
9 Child Left Behind Act of 2001 related to local educational agency
10 plans pursuant to Section 1112 of Subpart 1 of Part A of Title I of
11 Public Law 107-110, and the requirements of the federal No Child
12 Left Behind Act of 2001 (Public Law 107-110) and Section 64001
13 related to the Single Plan for Pupil Achievement, including the
14 requirements of Title III of the federal No Child Left Behind Act
15 of 2001 (Public Law 107-110). The state board shall also take steps
16 to minimize duplication of effort at the local level to the greatest
17 extent possible.

18 (c) The templates developed by the state board shall ensure that
19 each school district, county superintendent of schools, or charter
20 school that receives supplemental and concentration funds for
21 unduplicated pupils, pursuant to Sections 2574, 2575, 42238.02,
22 and 42238.03, include information on the instructional programs
23 and services provided to unduplicated pupils for the purpose of
24 increasing their academic achievement, as referenced in Sections
25 52060 and 52066, in its local control and accountability plan.

26 (d) The templates shall ensure that school districts, county
27 superintendents of schools, or charter schools include information
28 on the types of English language development instructional
29 programs provided to English learners, and how those programs
30 support the core instructional program, including, but not limited
31 to, the types of instructional materials provided to pupils and the
32 professional development provided to schoolsite staff.

33 (e) If possible, the templates identified in paragraph (2) of
34 subdivision (a) for use by county superintendents of schools shall
35 allow a county superintendent of schools to develop a single local
36 control and accountability plan that would also satisfy the
37 requirements of Section 48926.

38 (f) The state board shall adopt the template pursuant to the
39 requirements of the Administrative Procedure Act (Chapter 3.5
40 (commencing with Section 11340) of Part 1 of Division 3 of Title

1 2 of the Government Code). The state board may adopt emergency
2 regulations for purposes of implementing this section.

3 (g) Revisions to a template or evaluation rubric shall be
4 approved by the state board by January 31 before the fiscal year
5 during which the template or evaluation rubric is to be used by a
6 school district, county superintendent of schools, or charter school.

7 (h) The adoption of a template or evaluation rubric by the state
8 board shall not create a requirement for a governing board of a
9 school district, a county board of education, or a governing body
10 of a charter school to submit a local control and accountability
11 plan to the state board, unless otherwise required by federal law.
12 The Superintendent shall not require a local control and
13 accountability plan to be submitted by a governing board of a
14 school district or the governing body of a charter school to the
15 state board. The state board may adopt a template or evaluation
16 rubric that would authorize a school district or a charter school to
17 submit to the state board only the sections of the local control and
18 accountability plan required by federal law.

19 *SEC. 9.5. Section 52064 of the Education Code is amended to*
20 *read:*

21 52064. (a) On or before March 31, 2014, the state board shall
22 adopt templates for the following purposes:

23 (1) For use by school districts to meet the requirements of
24 Sections 52060 to 52063, inclusive.

25 (2) For use by county superintendents of schools to meet the
26 requirements of Sections 52066 to 52069, inclusive.

27 (3) For use by charter schools to meet the requirements of
28 Section 47606.5.

29 (b) The templates developed by the state board shall allow a
30 school district, county superintendent of schools, or charter school
31 to complete a single local control and accountability plan to meet
32 the requirements of this ~~article~~ and *article*, the requirements of the
33 federal No Child Left Behind Act of 2001 related to local
34 educational agency plans pursuant to Section 1112 of Subpart 1
35 of Part A of Title I of Public Law ~~107-110~~ *107-110*, and the
36 *requirements of the federal No Child Left Behind Act of 2001*
37 *(Public Law 107-110) and Section 64001 related to the Single*
38 *Plan for Pupil Achievement, including the requirements of Title*
39 *III of the federal No Child Left Behind Act of 2001 (Public Law*
40 *107-110)*. The state board shall also take steps to minimize

1 duplication of effort at the local level to the greatest extent possible.
2 *The template shall include guidance for school districts, county*
3 *superintendents of schools, and charter schools to report both of*
4 *the following:*

5 (1) *A listing and description of expenditures for the 2014–15*
6 *fiscal year, and each fiscal year thereafter, implementing the*
7 *specific actions included in the local control and accountability*
8 *plan.*

9 (2) *A listing and description of expenditures for the 2014–15*
10 *fiscal year, and each fiscal year thereafter, that will serve the*
11 *pupils to whom one or more of the definitions in Section 42238.01*
12 *apply and pupils redesignated as fluent English proficient.*

13 (c) *The templates developed by the state board shall ensure that*
14 *each school district, county superintendent of schools, or charter*
15 *school that receives supplemental and concentration funds for*
16 *unduplicated pupils, pursuant to Sections 2574, 2575, 42238.02,*
17 *and 42238.03, include information on the instructional programs*
18 *and services provided to unduplicated pupils for the purpose of*
19 *increasing their academic achievement, as referenced in Sections*
20 *52060 and 52066, in its local control and accountability plan.*

21 (d) *The templates shall ensure that school districts, county*
22 *superintendents of schools, or charter schools include information*
23 *on the types of English language development instructional*
24 *programs provided to English learners, and how those programs*
25 *support the core instructional program, including, but not limited*
26 *to, the types of instructional materials provided to pupils and the*
27 *professional development provided to schoolsite staff.*

28 (e)

29 (e) *If possible, the templates identified in paragraph (2) of*
30 *subdivision (a) for use by county superintendents of schools shall*
31 *allow a county superintendent of schools to develop a single local*
32 *control and accountability plan that would also satisfy the*
33 *requirements of Section 48926.*

34 (d)

35 (f) *The state board shall adopt the template pursuant to the*
36 *requirements of the Administrative Procedure Act (Chapter 3.5*
37 *(commencing with Section 11340) of Part 1 of Division 3 of Title*
38 *2 of the Government Code). The state board may adopt emergency*
39 *regulations for purposes of implementing this section.*

40 (e)

1 (g) Revisions to a template or evaluation rubric shall be
2 approved by the state board by January 31 before the fiscal year
3 during which the template or evaluation rubric is to be used by a
4 school district, county superintendent of schools, or charter school.

5 (f)

6 (h) The adoption of a template or evaluation rubric by the state
7 board shall not create a requirement for a governing board of a
8 school district, a county board of education, or a governing body
9 of a charter school to submit a local control and accountability
10 plan to the state board, unless otherwise required by federal law.
11 The Superintendent shall not require a local control and
12 accountability plan to be submitted by a governing board of a
13 school district or the governing body of a charter school to the
14 state board. The state board may adopt a template or evaluation
15 rubric that would authorize a school district or a charter school to
16 submit to the state board only the sections of the local control and
17 accountability plan required by federal law.

18 SEC. 10. Section 52066 of the Education Code is amended to
19 read:

20 52066. (a) On or before July 1, 2014, each county
21 superintendent of schools shall develop, and present to the county
22 board of education for adoption, a local control and accountability
23 plan using a template adopted by the state board.

24 (b) A local control and accountability plan adopted by a county
25 board of education shall be effective for a period of three years,
26 and shall be updated on or before July 1 of each year.

27 (c) A local control and accountability plan adopted by a county
28 board of education shall include, for each school or program
29 operated by the county superintendent of schools, a description of
30 all of the following:

31 (1) The annual goals, for all pupils and each subgroup of pupils
32 identified pursuant to Section 52052, to be achieved for each of
33 the state priorities identified in subdivision (d), as applicable to
34 the pupils served, and for any additional local priorities identified
35 by the county board of education.

36 (2) The specific actions the county superintendent of schools
37 will take during each year of the local control and accountability
38 plan to achieve the goals identified in paragraph (1), including the
39 enumeration of any specific actions necessary for that year to

1 correct any deficiencies in regard to the state priorities listed in
2 paragraph (1) of subdivision (d).

3 (3) A listing and description of the expenditures for the fiscal
4 year implementing the specific actions included in the local control
5 and accountability plan pursuant to paragraph (2).

6 (4) A listing and description of expenditures for the fiscal year
7 that will serve the pupils to whom one or more of the definitions
8 in Section 42238.01 apply and pupils redesignated as fluent English
9 proficient.

10 (d) All of the following are state priorities:

11 (1) The degree to which the teachers in the schools or programs
12 operated by the county superintendent of schools are appropriately
13 assigned in accordance with Section 44258.9 and fully credentialed
14 in the subject areas, and, for the pupils they are teaching, every
15 pupil in the schools or programs operated by the county
16 superintendent of schools has sufficient access to the
17 standards-aligned instructional materials as determined pursuant
18 to Section 60119, and school facilities are maintained in good
19 repair as specified in subdivision (d) of Section 17002.

20 (2) Implementation of the academic content and performance
21 standards adopted by the state board, including how the programs
22 and services will enable English learners to access the common
23 core academic content standards adopted pursuant to Section
24 60605.8 and the English language development standards adopted
25 pursuant to Section 60811.3 for purposes of gaining academic
26 content knowledge and English language proficiency.

27 (3) Parental involvement, including efforts the county
28 superintendent of schools makes to seek parent input in making
29 decisions for each individual schoolsite and program operated by
30 a county superintendent of schools, and including how the county
31 superintendent of schools will promote parental participation in
32 programs for unduplicated pupils and individuals with exceptional
33 needs.

34 (4) Pupil achievement, including for each of the subgroups
35 identified pursuant to Section 52052, as measured by all of the
36 following, as applicable:

37 (A) Statewide assessments administered pursuant to Article 4
38 (commencing with Section 60640) of Chapter 5 of Part 33 or any
39 subsequent assessment, as certified by the state board.

1 (B) The Academic Performance Index, as described in Section
2 52052.

3 (C) The percentage of pupils who have successfully completed
4 courses that satisfy the requirements for entrance to the University
5 of California and the California State University, or career technical
6 education sequences or clusters of courses that satisfy the
7 requirements of subdivision (a) of Section 52302, subdivision (a)
8 of Section 52372.5, or paragraph (2) of subdivision (e) of Section
9 54692, and align with state board-approved career technical
10 education standards and frameworks.

11 (D) The percentage of English learner pupils who make progress
12 toward English proficiency as measured by the California English
13 Language Development Test or any subsequent assessment of
14 English proficiency, as certified by the state board.

15 (E) The English learner reclassification rate.

16 (F) The percentage of pupils who have passed an advanced
17 placement examination with a score of 3 or higher.

18 (G) The percentage of pupils who participate in, and demonstrate
19 college preparedness pursuant to, the Early Assessment Program,
20 as described in Chapter 6 (commencing with Section 99300) of
21 Part 65 of Division 14 of Title 3, or any subsequent assessment of
22 college preparedness.

23 (5) Pupil engagement, as measured by all of the following, as
24 applicable:

25 (A) School attendance rates.

26 (B) Chronic absenteeism rates.

27 (C) Middle school dropout rates, as described in paragraph (3)
28 of subdivision (a) of Section 52052.1.

29 (D) High school dropout rates.

30 (E) High school graduation rates.

31 (6) School climate, as measured by all of the following, as
32 applicable:

33 (A) Pupil suspension rates.

34 (B) Pupil expulsion rates.

35 (C) Other local measures, including surveys of pupils, parents,
36 and teachers on the sense of safety and school connectedness.

37 (7) The extent to which pupils have access to, and are enrolled
38 in, a broad course of study that includes all of the subject areas
39 described in Section 51210 and subdivisions (a) to (i), inclusive,
40 of Section 51220, as applicable, including the programs and

1 services developed and provided to unduplicated pupils and
2 individuals with exceptional needs, and the program and services
3 that are provided to benefit these pupils as a result of the funding
4 received pursuant to Section 42238.02, as implemented by Section
5 42238.03.

6 (8) Pupil outcomes, if available, in the subject areas described
7 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
8 51220, as applicable.

9 (9) How the county superintendent of schools will coordinate
10 instruction of expelled pupils pursuant to Section 48926.

11 (10) How the county superintendent of schools will coordinate
12 services for foster children, including, but not limited to, all of the
13 following:

14 (A) Working with the county child welfare agency to minimize
15 changes in school placement.

16 (B) Providing education-related information to the county child
17 welfare agency to assist the county child welfare agency in the
18 delivery of services to foster children, including, but not limited
19 to, educational status and progress information that is required to
20 be included in court reports.

21 (C) Responding to requests from the juvenile court for
22 information and working with the juvenile court to ensure the
23 delivery and coordination of necessary educational services.

24 (D) Establishing a mechanism for the efficient expeditious
25 transfer of health and education records and the health and
26 education passport.

27 (11) The extent to which teachers, administrators, and staff
28 receive professional development or participate in induction
29 programs, including the type and subject areas of the professional
30 development provided.

31 (e) For purposes of the descriptions required by subdivision (c),
32 a county board of education may consider qualitative information,
33 including, but not limited to, findings that result from school quality
34 reviews conducted pursuant to subparagraph (J) ~~or~~ of paragraph
35 (4) of subdivision (a) of Section 52052 or any other reviews.

36 (f) To the extent practicable, data reported in a local control and
37 accountability plan shall be reported in a manner consistent with
38 how information is reported on a school accountability report card.

1 (g) The county superintendent of schools shall consult with
2 teachers, principals, administrators, other school personnel, parents,
3 and pupils in developing a local control and accountability plan.

4 (h) A county board of education may identify local priorities,
5 goals in regard to the local priorities, and the method for measuring
6 the county office of education's progress toward achieving those
7 goals.

8 SEC. 10.5. Section 52066 of the Education Code is amended
9 to read:

10 52066. (a) On or before July 1, 2014, each county
11 superintendent of schools shall develop, and present to the county
12 board of education for adoption, a local control and accountability
13 plan using a template adopted by the state board.

14 (b) A local control and accountability plan adopted by a county
15 board of education shall be effective for a period of three years,
16 and shall be updated on or before July 1 of each year.

17 (c) A local control and accountability plan adopted by a county
18 board of education shall include, for each school or program
19 operated by the county superintendent of schools, all of the
20 following:

21 (1) A description of the annual goals, for all pupils and each
22 subgroup of pupils identified pursuant to Section 52052, to be
23 achieved for each of the state priorities identified in subdivision
24 (d), as applicable to the pupils served, and for any additional local
25 priorities identified by the county board of education.

26 (2) A description of the specific actions the county
27 superintendent of schools will take during each year of the local
28 control and accountability plan to achieve the goals identified in
29 paragraph (1), including the enumeration of any specific actions
30 necessary for that year to correct any deficiencies in regard to the
31 state priorities listed in paragraph (1) of subdivision (d). The
32 specific actions shall ~~be consistent with~~ *not supersede the*
33 *provisions of existing* local collective bargaining agreements within
34 the jurisdiction of the county superintendent of schools.

35 (3) A listing and description of the expenditures for the fiscal
36 year implementing the specific actions included in the local control
37 and accountability plan pursuant to paragraph (2).

38 (4) A listing and description of expenditures for the fiscal year
39 that will serve the pupils to whom one or more of the definitions

1 in Section 42238.01 apply, and pupils redesignated as fluent
2 English proficient.

3 (d) All of the following are state priorities:

4 (1) The degree to which the teachers in the schools or programs
5 operated by the county superintendent of schools are appropriately
6 assigned in accordance with Section 44258.9 and fully credentialed
7 in the subject areas, and, for the pupils they are teaching, every
8 pupil in the schools or programs operated by the county
9 superintendent of schools has sufficient access to the
10 standards-aligned instructional materials as determined pursuant
11 to Section 60119, and school facilities are maintained in good
12 repair as specified in subdivision (d) of Section 17002.

13 (2) Implementation of the academic content and performance
14 standards adopted by the state board, including how the programs
15 and services will enable English learners to access the common
16 core academic content standards adopted pursuant to Section
17 60605.8 and the English language development standards adopted
18 pursuant to Section 60811.3 for purposes of gaining academic
19 content knowledge and English language proficiency.

20 (3) Parental involvement, including efforts the county
21 superintendent of schools makes to seek parent input in making
22 decisions for each individual schoolsite and program operated by
23 a county superintendent of schools, and including how the county
24 superintendent of schools will promote parental participation in
25 programs for unduplicated pupils and individuals with exceptional
26 needs.

27 (4) Pupil achievement, including for each of the subgroups
28 identified pursuant to Section 52052, as measured by all of the
29 following, as applicable:

30 (A) Statewide assessments administered pursuant to Article 4
31 (commencing with Section 60640) of Chapter 5 of Part 33 or any
32 subsequent assessment, as certified by the state board.

33 (B) The Academic Performance Index, as described in Section
34 52052.

35 (C) The percentage of pupils who have successfully completed
36 courses that satisfy the requirements for entrance to the University
37 of California and the California State University, or career technical
38 education sequences or programs of study that align with state
39 board-approved career technical education standards and
40 frameworks, including, but not limited to, those described in

1 subdivision (a) of Section 52302, subdivision (a) of Section
2 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

3 (D) The percentage of English learner pupils who make progress
4 toward English proficiency as measured by the California English
5 Language Development Test or any subsequent assessment of
6 English proficiency, as certified by the state board.

7 (E) The English learner reclassification rate.

8 (F) The percentage of pupils who have passed an advanced
9 placement examination with a score of 3 or higher.

10 (G) The percentage of pupils who participate in, and demonstrate
11 college preparedness pursuant to, the Early Assessment Program,
12 as described in Chapter 6 (commencing with Section 99300) of
13 Part 65 of Division 14 of Title 3, or any subsequent assessment of
14 college preparedness.

15 (5) Pupil engagement, as measured by all of the following, as
16 applicable:

17 (A) School attendance rates.

18 (B) Chronic absenteeism rates.

19 (C) Middle school dropout rates, as described in paragraph (3)
20 of subdivision (a) of Section 52052.1.

21 (D) High school dropout rates.

22 (E) High school graduation rates.

23 (6) School climate, as measured by all of the following, as
24 applicable:

25 (A) Pupil suspension rates.

26 (B) Pupil expulsion rates.

27 (C) Other local measures, including surveys of pupils, parents,
28 and teachers on the sense of safety and school connectedness.

29 (7) The extent to which pupils have access to, and are enrolled
30 in, a broad course of study that includes all of the subject areas
31 described in Section 51210 and subdivisions (a) to (i), inclusive,
32 of Section 51220, as applicable, including the programs and
33 services developed and provided to unduplicated pupils and
34 individuals with exceptional needs, and the program and services
35 that are provided to benefit these pupils as a result of the funding
36 received pursuant to Section 42238.02, as implemented by Section
37 42238.03.

38 (8) Pupil outcomes, if available, in the subject areas described
39 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
40 51220, as applicable.

1 (9) How the county superintendent of schools will coordinate
2 instruction of expelled pupils pursuant to Section 48926.

3 (10) How the county superintendent of schools will coordinate
4 services for foster children, including, but not limited to, all of the
5 following:

6 (A) Working with the county child welfare agency to minimize
7 changes in school placement.

8 (B) Providing education-related information to the county child
9 welfare agency to assist the county child welfare agency in the
10 delivery of services to foster children, including, but not limited
11 to, educational status and progress information that is required to
12 be included in court reports.

13 (C) Responding to requests from the juvenile court for
14 information and working with the juvenile court to ensure the
15 delivery and coordination of necessary educational services.

16 (D) Establishing a mechanism for the efficient expeditious
17 transfer of health and education records and the health and
18 education passport.

19 (11) The extent to which teachers, administrators, and staff
20 receive professional development or participate in induction
21 programs, including the type and subject areas of the professional
22 development provided.

23 (e) For purposes of the descriptions required by subdivision (c),
24 a county board of education may consider qualitative information,
25 including, but not limited to, findings that result from school quality
26 reviews conducted pursuant to subparagraph (J) ~~or~~ of paragraph
27 (4) of subdivision (a) of Section 52052 or any other reviews.

28 (f) To the extent practicable, data reported in a local control and
29 accountability plan shall be reported in a manner consistent with
30 how information is reported on a school accountability report card.

31 (g) The county superintendent of schools shall consult with
32 teachers, principals, administrators, other school personnel, local
33 bargaining units of the county office of education, parents, and
34 pupils in developing a local control and accountability plan.

35 (h) A county board of education may identify local priorities,
36 goals in regard to the local priorities, and the method for measuring
37 the county office of education's progress toward achieving those
38 goals.

39 SEC. 11. Section 52067 of the Education Code is amended to
40 read:

1 52067. (a) On or before July 1, 2015, and each year thereafter,
2 a county board of education shall update the local control and
3 accountability plan. The annual update shall be developed using
4 a template developed pursuant to Section 52064 and shall include
5 all of the following:

6 (1) A review of any changes in the applicability of the goals
7 described in paragraph (1) of subdivision (c) of Section 52066.

8 (2) A review of the progress toward the goals included in the
9 existing local control and accountability plan, an assessment of
10 the effectiveness of the specific actions described in the existing
11 local control and accountability plan toward achieving the goals,
12 and a description of changes to the specific actions the county
13 office of education will make as a result of the review and
14 assessment.

15 (3) A listing and description of the expenditures for the fiscal
16 year implementing the specific actions included in the local control
17 and accountability plan, including the changes to the specific
18 actions made as a result of the reviews and assessment required
19 by paragraphs (1) and (2).

20 (4) A listing and description of expenditures for the county
21 office of education and each school for the fiscal year that will
22 serve the pupils to whom one or more of the definitions in Section
23 42238.01 apply and pupils redesignated as fluent English proficient.

24 (b) The expenditures identified in subdivision (a) of this section
25 and subdivision (c) of Section 52066 shall be classified using the
26 California School Accounting Manual pursuant to Section 41010.

27 SEC. 12. Section 52068 of the Education Code is amended to
28 read:

29 52068. (a) Before the county board of education considers the
30 adoption of a local control and accountability plan or an annual
31 update to the local control and accountability plan, all of the
32 following shall occur:

33 (1) The county superintendent of schools shall present the local
34 control and accountability plan or annual update to the local control
35 and accountability plan to a parent advisory committee established
36 pursuant to Section 52069 for review and comment. The county
37 superintendent of schools shall respond, in writing, to comments
38 received from the parent advisory committee.

39 (2) The county superintendent of schools shall present the local
40 control and accountability plan or annual update to the local control

1 and accountability plan to the English learner parent advisory
2 committee established pursuant to Section 52069, if applicable,
3 for review and comment. The county superintendent of schools
4 shall respond, in writing, to comments received from the English
5 learner parent advisory committee.

6 (3) The county superintendent of schools shall notify members
7 of the public of the opportunity to submit written comments
8 regarding the specific actions and expenditures proposed to be
9 included in the local control and accountability plan or annual
10 update to the local control and accountability plan, using the most
11 efficient method of notification possible. This paragraph shall not
12 require a county superintendent of schools to produce printed
13 notices or to send notices by mail. The county superintendent of
14 schools shall ensure that all written notifications related to the
15 local control and accountability plan or annual update to the local
16 control and accountability plan are provided consistent with Section
17 48985.

18 (4) The county superintendent of schools shall review school
19 plans submitted pursuant to Section 64001 for schools operated
20 by the county superintendent of schools and ensure that the specific
21 actions included in the local control and accountability plan or
22 annual update to the local control and accountability plan are
23 consistent with strategies included in the school plans submitted
24 pursuant to Section 64001.

25 (b) (1) The county board of education shall hold at least one
26 public hearing to solicit the recommendations and comments of
27 members of the public regarding the specific actions and
28 expenditures proposed to be included in the local control and
29 accountability plan or annual update to the local control and
30 accountability plan. The agenda for the public hearing shall be
31 posted at least 72 hours before the public hearing and shall include
32 the location where the local control and accountability plan or
33 annual update to the local control and accountability plan, and any
34 comments received pursuant to paragraphs (1) to (3), inclusive, of
35 subdivision (a), will be available for public inspection. The public
36 hearing shall be held at the same meeting as the public hearing
37 required by Section 1620.

38 (2) The county board of education shall adopt a local control
39 and accountability plan or annual update to the local control and
40 accountability plan in a public meeting. This meeting shall be held

1 after, but not on the same day as, the public hearing held pursuant
2 to paragraph (1). This meeting shall be the same meeting as that
3 during which the county board of education adopts a budget
4 pursuant to Section 1622.

5 (c) A county superintendent of schools may develop and present
6 to a county board of education for adoption revisions to a local
7 control and accountability plan during the period the local control
8 and accountability plan is in effect. The county board of education
9 may only adopt a revision to a local control and accountability
10 plan if it follows the process to adopt a local control and
11 accountability plan pursuant to this section and the revisions are
12 adopted in a public meeting.

13 SEC. 13. Section 52069 of the Education Code is amended to
14 read:

15 52069. (a) (1) A county superintendent of schools shall
16 establish a parent advisory committee to provide advice to the
17 county board of education and the county superintendent of schools
18 regarding the requirements of this article.

19 (2) A parent advisory committee shall include parents or legal
20 guardians of pupils to whom one or more of the definitions in
21 Section 42238.01 apply.

22 (3) This subdivision shall not require the county superintendent
23 of schools to establish a new parent advisory committee if the
24 county superintendent of schools already has established a parent
25 advisory committee that meets the requirements of this subdivision,
26 including any committee established to meet the requirements of
27 the federal No Child Left Behind Act of 2001 (Public Law
28 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title
29 I of that act.

30 (b) (1) A county superintendent of schools shall establish an
31 English learner parent advisory committee if the enrollment of the
32 pupils in the schools and programs operated by the county
33 superintendent of schools includes at least 15 percent English
34 learners or the schools and programs operated by the county
35 superintendent of schools enroll at least 50 pupils who are English
36 learners.

37 (2) This subdivision shall not require the county superintendent
38 of schools to establish a new English learner parent advisory
39 committee if the county superintendent of schools already has

1 established a committee that meets the requirements of this
2 subdivision.

3 (3) A representative of the English learner parent advisory
4 committee shall be a member of the parent advisory committee
5 established pursuant to paragraph (1) of subdivision (a).

6 SEC. 14. Section 52070 of the Education Code is amended to
7 read:

8 52070. (a) Not later than five days after adoption of a local
9 control and accountability plan or annual update to a local control
10 and accountability plan, the governing board of a school district
11 shall file the local control and accountability plan or annual update
12 to the local control and accountability plan with the county
13 superintendent of schools.

14 (b) On or before August 15 of each year, the county
15 superintendent of schools may seek clarification, in writing, from
16 the governing board of a school district about the contents of the
17 local control and accountability plan or annual update to the local
18 control and accountability plan. Within 15 days the governing
19 board of a school district shall respond, in writing, to requests for
20 clarification.

21 (c) Within 15 days of receiving the response from the governing
22 board of the school district, the county superintendent of schools
23 may submit recommendations, in writing, for amendments to the
24 local control and accountability plan or annual update to the local
25 control and accountability plan. The governing board of a school
26 district shall consider the recommendations submitted by the county
27 superintendent of schools in a public meeting within 15 days of
28 receiving the recommendations.

29 (d) The county superintendent of schools shall approve a local
30 control and accountability plan or annual update to a local control
31 and accountability plan on or before October 8, if he or she
32 determines all of the following:

33 (1) The local control and accountability plan or annual update
34 to the local control and accountability plan adheres to the template
35 adopted by the state board pursuant to Section 52064.

36 (2) The budget for the applicable fiscal year adopted by the
37 governing board of the school district includes expenditures
38 sufficient to implement the specific actions and strategies included
39 in the local control and accountability plan adopted by the

1 governing board of the school district, based on the projections of
2 the costs included in the plan.

3 (3) The local control and accountability plan or annual update
4 to the local control and accountability plan adheres to the
5 expenditure requirements adopted pursuant to Section 42238.07
6 for funds apportioned on the basis of the number and concentration
7 of unduplicated pupils pursuant to Sections 42238.02 and 42238.03.

8 (e) If a county superintendent of schools has jurisdiction over
9 a single school district, the Superintendent shall designate a county
10 superintendent of schools of an adjoining county to perform the
11 duties specified in this section.

12 SEC. 15. Section 52070.5 of the Education Code is amended
13 to read:

14 52070.5. (a) Not later than five days after adoption of a local
15 control and accountability plan or annual update to a local control
16 and accountability plan, the county board of education shall file
17 the local control and accountability plan or annual update to the
18 local control and accountability plan with the Superintendent.

19 (b) On or before August 15 of each year, the Superintendent
20 may seek clarification, in writing, from the county board of
21 education about the contents of the local control and accountability
22 plan or annual update to the local control and accountability plan.
23 Within 15 days the county board of education shall respond, in
24 writing, to requests for clarification.

25 (c) Within 15 days of receiving the response from the county
26 board of education, the Superintendent may submit
27 recommendations, in writing, for amendments to the local control
28 and accountability plan or annual update to the local control and
29 accountability plan. The county board of education shall consider
30 the recommendations submitted by the Superintendent in a public
31 meeting within 15 days of receiving the recommendations.

32 (d) The Superintendent shall approve a local control and
33 accountability plan or annual update to a local control and
34 accountability plan on or before October 8, if he or she determines
35 all of the following:

36 (1) The local control and accountability plan or annual update
37 to the local control and accountability plan adheres to the template
38 adopted by the state board pursuant to Section 52064.

39 (2) The budget for the applicable fiscal year adopted by the
40 county board of education includes expenditures sufficient to

1 implement the specific actions and strategies included in the local
2 control and accountability plan adopted by the county board of
3 education, based on the projections of the costs included in the
4 plan.

5 (3) The local control and accountability plan or annual update
6 to the local control and accountability plan adheres to the
7 expenditure requirements adopted pursuant to Section 42238.07
8 for funds apportioned on the basis of the number and concentration
9 of unduplicated pupils pursuant to Sections 2574 and 2575.

10 SEC. 16. Section 52071 of the Education Code is amended to
11 read:

12 52071. (a) If a county superintendent of schools does not
13 approve a local control and accountability plan or annual update
14 to the local control and accountability plan approved by a
15 governing board of a school district, or if the governing board of
16 a school district requests technical assistance, the county
17 superintendent of schools shall provide technical assistance,
18 including, among other things, any of the following:

19 (1) Identification of the school district's strengths and
20 weaknesses in regard to the state priorities described in subdivision
21 (d) of Section 52060, communicated in writing to the school
22 district. This identification shall include a review of effective,
23 evidence-based programs that apply to the school district's goals.

24 (2) Assignment of an academic expert or team of academic
25 experts to assist the school district in identifying and implementing
26 effective programs that are designed to improve the outcomes for
27 all pupil subgroups identified pursuant to Section 52052. The
28 county superintendent of schools may also solicit another school
29 district within the county to act as a partner to the school district
30 in need of technical assistance.

31 (3) Request that the Superintendent assign the California
32 Collaborative for Educational Excellence to provide advice and
33 assistance to the school district.

34 (b) Using an evaluation rubric adopted by the state board
35 pursuant to Section 52064.5, the county superintendent of schools
36 shall provide the technical assistance described in subdivision (a)
37 to any school district that fails to improve pupil achievement across
38 more than one state priority described in subdivision (d) of Section
39 52060 for one or more pupil subgroups identified pursuant to
40 Section 52052.

1 (c) Technical assistance provided pursuant to this section at the
2 request of a school district shall be paid for by the school district
3 requesting the assistance.

4 SEC. 17. Section 52071.5 of the Education Code is amended
5 to read:

6 52071.5. (a) If the Superintendent does not approve a local
7 control and accountability plan or annual update to the local control
8 and accountability plan approved by a county board of education,
9 or if the county board of education requests technical assistance,
10 the Superintendent shall provide technical assistance, including,
11 among other things, any of the following:

12 (1) Identification of the county board of education’s strengths
13 and weaknesses in regard to the state priorities described in
14 subdivision (d) of Section 52066, communicated in writing to the
15 county board of education. This identification shall include a
16 review of effective, evidence-based programs that apply to the
17 board’s goals.

18 (2) Assignment of an academic expert or team of academic
19 experts, or the California Collaborative for Educational Excellence
20 established pursuant to Section 52074, to assist the county board
21 of education in identifying and implementing effective programs
22 that are designed to improve the outcomes for all pupil subgroups
23 identified pursuant to Section 52052. The Superintendent may also
24 solicit another county office of education to act as a partner to the
25 county office of education in need of technical assistance.

26 (b) Using an evaluation rubric adopted by the state board
27 pursuant to Section 52064.5, the Superintendent shall provide the
28 technical assistance described in subdivision (a) to any county
29 office of education that fails to improve pupil achievement in
30 regard to more than one state priority described in subdivision (d)
31 of Section 52066 for any pupil subgroup identified pursuant to
32 Section 52052.

33 (c) Technical assistance provided pursuant to this section at the
34 request of a county board of education shall be paid for by the
35 county board of education receiving assistance.

36 SEC. 18. Section 54030 is added to the Education Code, to
37 read:

38 54030. A local educational agency shall expend unexpended
39 economic impact aid balances received pursuant to this part only

1 for purposes authorized in this part as it and adopted regulations
2 read on June 30, 2013.

3 ~~SEC. 19. (a) Section 2.5 of this bill incorporates amendments~~
4 ~~to Section 42127 of the Education Code proposed by both this bill~~
5 ~~and Assembly Bill 103. It shall only become operative if (1) both~~
6 ~~bills are enacted and become effective on or before January 1,~~
7 ~~2014, (2) each bill amends Section 42127 of the Education Code,~~
8 ~~and (3) this bill is enacted after Assembly Bill 103, in which case~~
9 ~~Section 2 of this bill shall not become operative.~~

10 ~~(b) Section 4.5 of this bill incorporates amendments to Section~~
11 ~~52052 of the Education Code proposed by both this bill and~~
12 ~~Assembly Bill 484. It shall only become operative if (1) both bills~~
13 ~~are enacted and become effective on or before January 1, 2014,~~
14 ~~(2) each bill amends Section 52052 of the Education Code, and~~
15 ~~(3) this bill is enacted after Assembly Bill 484, in which case~~
16 ~~Section 4 of this bill shall not become operative.~~

17 ~~(c) Section 5.5 of this bill incorporates amendments to Section~~
18 ~~52060 of the Education Code proposed by both this bill and~~
19 ~~Assembly Bill 103. It shall only become operative if (1) both bills~~
20 ~~are enacted and become effective on or before January 1, 2014,~~
21 ~~(2) each bill amends Section 52060 of the Education Code, and~~
22 ~~(3) this bill is enacted after Assembly Bill 103, in which case~~
23 ~~Section 5 of this bill shall not become operative.~~

24 ~~(d) Section 10.5 of this bill incorporates amendments to Section~~
25 ~~52066 of the Education Code proposed by both this bill and~~
26 ~~Assembly Bill 103. It shall only become operative if (1) both bills~~
27 ~~are enacted and become effective on or before January 1, 2014,~~
28 ~~(2) each bill amends Section 52066 of the Education Code, and~~
29 ~~(3) this bill is enacted after Assembly Bill 103, in which case~~
30 ~~Section 10 of this bill shall not become operative.~~

31 *SEC. 19. Section 2.5 of this bill incorporates amendments to*
32 *Section 42127 of the Education Code proposed by this bill, Senate*
33 *Bill 97, and Assembly Bill 103. It shall only become operative if*
34 *(1) this bill and one or both of Senate Bill 97 and Assembly Bill*
35 *103 are enacted and become effective on or before January 1,*
36 *2014, (2) this bill and at least one of Senate Bill 97 or Assembly*
37 *Bill 103, as enacted, amends Section 42127 of the Education Code,*
38 *and (3) this bill is enacted last of these bills amending Section*
39 *42127 of the Education Code, in which case Section 42127 of the*
40 *Education Code, as amended by Senate Bill 97 or Assembly Bill*

1 103, whichever is operative, shall remain operative only until the
2 operative date of this bill, at which time Section 2.5 of this bill
3 shall become operative, and Section 2 of this bill shall not become
4 operative.

5 SEC. 20. Section 4.5 of this bill incorporates amendments to
6 Section 52052 of the Education Code proposed by both this bill
7 and Assembly Bill 484. It shall only become operative if (1) both
8 bills are enacted and become effective on or before January 1,
9 2014, (2) each bill amends Section 52052 of the Education Code,
10 and (3) this bill is enacted after Assembly Bill 484, in which case
11 Section 4 of this bill shall not become operative.

12 SEC. 21. Section 5.5 of this bill incorporates amendments to
13 Section 52060 of the Education Code proposed by this bill, Senate
14 Bill 97, and Assembly Bill 103. It shall only become operative if
15 (1) this bill and one or both of Senate Bill 97 and Assembly Bill
16 103 are enacted and become effective on or before January 1,
17 2014, (2) this bill and at least one of Senate Bill 97 or Assembly
18 Bill 103, as enacted, amends Section 52060 of the Education Code,
19 and (3) this bill is enacted last of these bills amending Section
20 52060 of the Education Code, in which case Section 42127 of the
21 Education Code, as amended by Senate Bill 97 or Assembly Bill
22 103, whichever is operative, shall remain operative only until the
23 operative date of this bill, at which time Section 5.5 of this bill
24 shall become operative, and Section 5 of this bill shall not become
25 operative.

26 SEC. 22. Section 9.5 of this bill incorporates amendments to
27 Section 52064 of the Education Code proposed by this bill, Senate
28 Bill 97, and Assembly Bill 103. It shall only become operative if
29 (1) this bill and one or both of Senate Bill 97 and Assembly Bill
30 103 are enacted and become effective on or before January 1,
31 2014, (2) this bill and at least one of Senate Bill 97 or Assembly
32 Bill 103, as enacted, amends Section 52064 of the Education Code,
33 and (3) this bill is enacted last of these bills amending Section
34 52064 of the Education Code, in which case Section 52064 of the
35 Education Code, as amended by Senate Bill 97 or Assembly Bill
36 103, whichever is operative, shall remain operative only until the
37 operative date of this bill, at which time Section 9.5 of this bill
38 shall become operative, and Section 9 of this bill shall not become
39 operative.

1 *SEC. 23. Section 10.5 of this bill incorporates amendments to*
2 *Section 52066 of the Education Code proposed by this bill, Senate*
3 *Bill 97, and Assembly Bill 103. It shall only become operative if*
4 *(1) this bill and one or both of Senate Bill 97 and Assembly Bill*
5 *103 are enacted and become effective on or before January 1,*
6 *2014, (2) this bill and at least one of Senate Bill 97 or Assembly*
7 *Bill 103, as enacted, amends Section 52066 of the Education Code,*
8 *and (3) this bill is enacted last of these bill amending Section 52066*
9 *of the Education Code, in which case Section 52066 of the*
10 *Education Code, as amended by Senate Bill 97 or Assembly Bill*
11 *103, whichever is operative, shall remain operative only until the*
12 *operative date of this bill, at which time Section 10.5 of this bill*
13 *shall become operative, and Section 10 of this bill shall not become*
14 *operative.*

15 ~~SEC. 20.~~

16 *SEC. 24. If the Commission on State Mandates determines that*
17 *this act contains costs mandated by the state, reimbursement to*
18 *local agencies and school districts for those costs shall be made*
19 *pursuant to Part 7 (commencing with Section 17500) of Division*
20 *4 of Title 2 of the Government Code.*

O