

AMENDED IN SENATE JUNE 2, 2015
AMENDED IN SENATE APRIL 30, 2015
AMENDED IN SENATE APRIL 9, 2015

SENATE BILL

No. 499

Introduced by Senators Liu and De León

February 26, 2015

An act to amend Section 33050 of, to amend and repeal Section 44661.5 of, to amend, repeal, and add Sections 44660, 44661, 44662, and 44664 of, to add Sections 35161.5, 44662.1, 44662.5, 44662.6, 44662.7, and 44672 to, and to repeal and add Article 13 (commencing with Section 44670) of Chapter 3 of Part 25 of Division 3 of Title 2 of, the Education Code, and to amend, repeal, and add Section 17581.6 of the Government Code, relating to teachers.

LEGISLATIVE COUNSEL'S DIGEST

SB 499, as amended, Liu. Teachers: best practices teacher evaluation system: school administrator evaluation.

(1) Existing law states the intent of the Legislature that governing boards of school districts establish a uniform system of evaluation and assessment of the performance of all certificated personnel within each school district of the state. Existing law requires the governing board of each school district to establish standards of expected pupil achievement at each grade level in each area of study and to evaluate and assess certificated employee performance on a continuing basis as it reasonably relates to the progress of pupils toward the established standards and, if applicable, the state adopted academic content standards as measured by state adopted criterion referenced assessments, the instructional techniques and strategies used by the employee, the

employee's adherence to curricular objectives, and the establishment and maintenance of a suitable learning environment, within the scope of the employee's responsibilities.

This bill would provide that the provisions described above would become inoperative on July 1, 2018. The bill would state findings and declarations of the Legislature regarding the nature of effective teachers and of the teaching profession. Commencing on July 1, 2018, the bill would require the governing board of each school district and each county board of education to adopt and implement a locally negotiated best practices teacher evaluation system, described as one in which each teacher is evaluated on a continuing basis on the degree to which he or she accomplishes specific objectives and multiple observations of instructional and other professional practices that are conducted by trained evaluators. The bill would authorize the State Board of Education, in consultation with the Superintendent of Public Instruction and appropriate education stakeholder groups, to adopt nonregulatory guidance to support the implementation of a best practices teacher evaluation system by school districts and county offices of education, as specified. The bill would also require the governing board of each school district and each county board of education to establish and define job responsibilities for certificated, noninstructional employees whose responsibilities cannot be evaluated appropriately under the best practices teacher evaluation system and to evaluate and assess their performance in relation to the fulfillment of those responsibilities. The bill would, on or before May 1, 2016, or May 1 of the year that precedes the year in which an existing collective bargaining contract will expire, whichever is later, require the governing board of each school district and each county board of education, at a regularly scheduled public hearing, to seek comment on the development and implementation of the best practices teacher evaluation system, and, on or before May 1 of each year before local negotiations required by law, to seek comment on the best practices teacher evaluation system. The bill would require if, by mutual agreement between the school district or county office of education and the collective bargaining unit, an intermediate mid-year agreement is reached regarding a best practices teacher evaluation system, the negotiation timeline to allow time for the governing board of the school district or the county board of education to hold a public hearing to seek comment on the best practices teacher evaluation system. The bill also would require the governing board of each school district and each county board of education to disclose the provisions of the

best practices teacher evaluation system at a regularly scheduled public hearing. The bill would provide that these provisions do not apply to certificated personnel who are employed on an hourly basis in adult education classes. The bill would also provide that the provisions of the best practices teacher evaluation system do not supersede or invalidate a teacher evaluation system that is locally negotiated and that is in effect at the time the best practices teacher evaluation system becomes operative. By imposing additional duties on school districts and county offices of education, this bill would impose a state-mandated local program.

(2) Existing law requires that an evaluation and assessment of the performance of a certificated employee be made on a continuing basis, as provided, including at least every 5 years for personnel with permanent status who have been employed at least 10 years with the school district, are highly qualified, as specified, and whose previous evaluation rated the employee as meeting or exceeding standards, if the evaluator and certificated employee being evaluated agree.

This bill, commencing July 1, 2018, would require the evaluation and assessment of the above personnel at least every 3 years, except as locally negotiated and provided in the best practices teacher evaluation system. The bill would also require county offices of education to comply with these provisions. By requiring additional duties on school districts and county offices of education, this bill would impose a state-mandated local program.

(3) Existing law authorizes a school district to evaluate a school principal annually for the principal's first and 2nd year of employment as a new principal and authorizes additional evaluations, as specified.

This bill would make those provisions inoperative on July 1, 2018, and, commencing July 1, 2018, would instead require the governing board of each school district and each county board of education to establish a system of evaluation for school administrators to guide their growth and performance with the purpose of supporting them as instructional leaders in order to raise pupil achievement. The bill would require the evaluation system to include certain attributes, including, but not limited to, promoting the success of all pupils, advocating and supporting a safe, nurturing school culture that sustains a quality instructional program conducive to pupil learning and staff professional growth, and ensuring the management, organization, and operation of a safe and successful learning environment as evidenced by the establishment of effective practices for personnel and resource

management, campus safety, and school climate. The bill would require the governing board of the school district and the county board of education to identify who will conduct the evaluation of each school administrator. By imposing additional duties on school district and county office of education officials, the bill would impose a state-mandated local program.

(4) Existing law authorizes the governing board of a school district or a county board of education, as specified, after a public hearing on the matter, to request the state board to waive all or part of any section of the Education Code or any regulation adopted by the state board that implements a provision of the Education Code that may be waived, except for specified provisions.

This bill would add the above-mentioned provisions relating to teacher and school administrator evaluation to the list of provisions that may not be waived.

(5) This bill also would state the intent of the Legislature to provide adequate resources to train evaluators, continue robust beginning teacher induction programs, and support struggling educators.

(6) Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including a school district and a community college district, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law requires certain funds appropriated in the annual Budget Act for reimbursement of the cost of a new program or increased level of service of an existing program mandated by statute or executive order to be available as a block grant to school districts, county offices of education, and charter schools to support specified state-mandated local programs and permits those entities to elect to receive that block grant funding in lieu of claiming mandated costs pursuant to the state claims process.

This bill would, as of July 1, 2018, add the best practices teacher evaluation system and the school administrator evaluation system to the state-mandated local programs supported by the block grant funding.

(7) This bill would update cross-references and would make other nonsubstantive changes.

(8) 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 33050 of the Education Code is amended
2 to read:
3 33050. (a) The governing board of a school district or a county
4 board of education, on a districtwide or countywide basis or on
5 behalf of one or more of its schools or programs, after a public
6 hearing on the matter, may request the state board to waive all or
7 part of any section of this code or any regulation adopted by the
8 state board that implements a provision of this code that may be
9 waived, except:
10 (1) Article 1 (commencing with Section 15700) and Article 2
11 (commencing with Section 15780) of Chapter 4 of Part 10 of
12 Division 1 of Title 1.
13 (2) Chapter 6 (commencing with Section 16000) of Part 10 of
14 Division 1 of Title 1.
15 (3) Chapter 12 (commencing with Section 17000), Chapter 12.5
16 (commencing with Section 17070.10), and Chapter 14
17 (commencing with Section 17085) of Part 10 of Division 1 of Title
18 1.
19 (4) Part 13 (commencing with Section 22000), Part 13.5
20 (commencing with Section 25900), and Part 14 (commencing with
21 Section 26000) of Division 1 of Title 1.
22 (5) Section 35735.1.
23 (6) Paragraph (8) of subdivision (a) of Section 37220.
24 (7) The following provisions of Part 10.5 (commencing with
25 Section 17210) of Division 1 of Title 1:
26 (A) Chapter 1 (commencing with Section 17210).
27 (B) Article 1 (commencing with Section 17251) to Article 6
28 (commencing with Section 17365), inclusive, of Chapter 3.
29 (C) Sections 17416 to 17429, inclusive; Sections 17459 and
30 17462; subdivision (a) of Section 17464; and Sections 17582 to
31 17591, inclusive.
32 (8) The following provisions of Part 24 (commencing with
33 Section 41000) of Division 3.

- 1 (A) Sections 41000 to 41360, inclusive.
- 2 (B) Sections 41420 to 41423, inclusive.
- 3 (C) Sections 41600 to 41863, inclusive.
- 4 (D) Sections 41930 to 42850, inclusive.
- 5 (9) Sections 44504 and 44505.
- 6 (10) Article 11 (commencing with Section 44660) of Chapter
- 7 3 of Part 25 of Division 3.
- 8 (11) Article 13 (commencing with Section 44670) of Chapter
- 9 3 of Part 25 of Division 3.
- 10 (12) Article 3 (commencing with Section 44930) of Chapter 4
- 11 of Part 25 of Division 3 and regulations in Title 5 of the California
- 12 Code of Regulations adopted pursuant to Article 3 (commencing
- 13 with Section 44930) of Chapter 4 of Part 25 of Division 3.
- 14 (13) Part 26 (commencing with Section 46000) of Division 4.
- 15 (14) Chapter 6 (commencing with Section 48900) and Chapter
- 16 6.5 (commencing with Section 49060) of Part 27 of Division 4.
- 17 (15) Section 51513.
- 18 (16) Section 52163.
- 19 (17) The identification and assessment criteria relating to any
- 20 categorical aid program, including Sections 52164.1 and 52164.6.
- 21 (18) Sections 52165, 52166, and 52178.
- 22 (19) Article 3 (commencing with Section 52850) of Chapter 12
- 23 of Part 28 of Division 4.
- 24 (20) Section 56364.1, except that this restriction shall not
- 25 prohibit the state board from approving any waiver of Section
- 26 56364.2, relating to full inclusion.
- 27 (21) Article 4 (commencing with Section 60640) of Chapter 5
- 28 of Part 33 of Division 4, relating to the California Assessment of
- 29 Student Performance and Progress (CAASPP), and any other
- 30 provisions of Chapter 5 (commencing with Section 60600) of Part
- 31 33 of Division 4 that establish requirements for the CAASPP.
- 32 (b) Any waiver of provisions related to the programs identified
- 33 in Section 52851 shall be granted only pursuant to Article 3
- 34 (commencing with Section 52850) of Chapter 12 of Part 28 of
- 35 Division 4.
- 36 (c) The waiver of an advisory committee required by law shall
- 37 be granted only pursuant to Article 4 (commencing with Section
- 38 52870) of Chapter 12 of Part 28 of Division 4.
- 39 (d) A request for a waiver submitted by the governing board of
- 40 a school district or a county board of education pursuant to

1 subdivision (a) shall include a written statement as to both of the
2 following:

3 (1) Whether the exclusive representative of employees, if any,
4 as provided in Chapter 10.7 (commencing with Section 3540) of
5 Division 4 of Title 1 of the Government Code, participated in the
6 development of the waiver.

7 (2) The exclusive representative's position regarding the waiver.

8 (e) A request for a waiver submitted pursuant to subdivision (a)
9 relating to a regional occupational center or program established
10 pursuant to Article 1 (commencing with Section 52300) of Chapter
11 9 of Part 28 of Division 4, which is operated by a joint powers
12 entity established pursuant to Chapter 5 (commencing with Section
13 6500) of Division 7 of Title 1 of the Government Code, shall be
14 submitted as a joint waiver request for each participating school
15 district and shall meet both of the following conditions:

16 (1) Each joint waiver request shall comply with all of the
17 requirements of this article.

18 (2) The submission of a joint waiver request shall be approved
19 by a unanimous vote of the governing board of the joint powers
20 agency.

21 SEC. 2. Section 35161.5 is added to the Education Code, to
22 read:

23 35161.5. (a) The governing board of each school district and
24 each county board of education shall establish standards of
25 expected pupil achievement at each grade level that it serves in
26 each area of study.

27 (b) This section shall become operative on July 1, 2018.

28 SEC. 3. Section 44660 of the Education Code is amended to
29 read:

30 44660. (a) It is the intent of the Legislature that governing
31 boards establish a uniform system of evaluation and assessment
32 of the performance of all certificated personnel within each school
33 district of the state, including schools conducted or maintained by
34 county superintendents of education. The system shall involve the
35 development and adoption by each school district of objective
36 evaluation and assessment guidelines that may, at the discretion
37 of the governing board of the school district, be uniform throughout
38 the school district or, for compelling reasons, be individually
39 developed for territories or schools within the school district,
40 provided that all certificated personnel of the school district shall

1 be subject to a system of evaluation and assessment adopted
2 pursuant to this article.

3 (b) This article does not apply to certificated personnel who are
4 employed on an hourly basis in adult education classes.

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

9 SEC. 4. Section 44660 is added to the Education Code, to read:

10 44660. (a) The Legislature finds and declares all of the
11 following:

12 (1) Teaching is a professional endeavor, in which effective
13 practice is driven by an understanding of knowledge in the field
14 and a commitment to all pupils and their families.

15 (2) Excellent teaching requires knowledge, skills, artistry,
16 passion, and commitment.

17 (3) Effective teachers integrate ethical concern for children and
18 society, extensive subject matter competence, thoughtfully selected
19 pedagogical practices, and a depth of knowledge about their pupils,
20 including knowledge of child and adolescent development and
21 learning, an understanding of their individual strengths, interests,
22 and needs, and knowledge about their families and communities.

23 (4) Effective teachers share a common set of professional and
24 ethical obligations that includes a profound and fundamental
25 commitment to the growth and success of the individual pupils in
26 their care as well as to the strengthening and continual revitalization
27 of our democratic society.

28 (5) Certificated, noninstructional employees share the same
29 deep commitment to children, families, and communities, and they
30 provide essential support and administrative services to pupils and
31 teachers that enable pupils to succeed.

32 (b) The Legislature further finds and declares that because
33 teachers are the most important school-related factor for influencing
34 pupil academic success the primary purpose of an evaluation
35 system is to ensure that teachers meet the highest professional
36 standards of effective teaching, thereby resulting in high levels of
37 pupil learning.

38 (c) The Legislature further finds and declares that the attributes
39 of the best practices teacher evaluation system established pursuant
40 to this article are based on the California Standards for the

1 Teaching Profession adopted by the Commission on Teacher
2 Credentialing in October of 2009, and the system of evaluation
3 for school administrators established pursuant to Article 13
4 (commencing with Section 44670) is based on the California
5 Professional Standards for Educational Leaders adopted by the
6 Commission on Teacher Credentialing in February of 2014.

7 (d) This article does not apply to certificated personnel who are
8 employed on an hourly basis in adult education classes.

9 (e) This section shall become operative on July 1, 2018.

10 SEC. 5. Section 44661 of the Education Code is amended to
11 read:

12 44661. (a) In the development and adoption of guidelines and
13 procedures pursuant to this article, the governing board of a school
14 district shall avail itself of the advice of the certificated
15 instructional personnel in the school district's organization of
16 certificated personnel.

17 (b) This section shall become inoperative on July 1, 2018, and,
18 as of January 1, 2019, is repealed, unless a later enacted statute,
19 that becomes operative on or before January 1, 2019, deletes or
20 extends the dates on which it becomes inoperative and is repealed.

21 SEC. 6. Section 44661 is added to the Education Code, to read:

22 44661. (a) The governing board of each school district and
23 each county board of education shall adopt and implement a best
24 practices teacher evaluation system as set forth in this article.

25 (b) The best practices teacher evaluation system required to be
26 adopted pursuant to this article shall be locally negotiated pursuant
27 to Chapter 10.7 (commencing with Section 3540) of Division 4 of
28 Title 1 of the Government Code. If the certificated employees of
29 the school district or the county office of education do not have
30 an exclusive bargaining representative, the governing board of the
31 school district or the county board of education shall adopt
32 objective evaluation and support components, as applicable, that
33 are consistent with this article.

34 (c) This section shall become operative on July 1, 2018.

35 SEC. 7. Section 44661.5 of the Education Code is amended to
36 read:

37 44661.5. (a) When developing and adopting objective
38 evaluation and assessment guidelines pursuant to Section 44660,
39 a school district may, by mutual agreement between the exclusive
40 representative of the certificated employees of the school district

1 and the governing board of the school district, include any objective
2 standards from the National Board for Professional Teaching
3 Standards or any objective standards from the California Standards
4 for the Teaching Profession if the standards to be included are
5 consistent with this article. If the certificated employees of the
6 school district do not have an exclusive representative, the school
7 district may adopt objective evaluation and assessment guidelines
8 consistent with this section.

9 (b) This section shall become inoperative on July 1, 2018, and,
10 as of January 1, 2019, is repealed, unless a later enacted statute,
11 that becomes operative on or before January 1, 2019, deletes or
12 extends the dates on which it becomes inoperative and is repealed.

13 SEC. 8. Section 44662 of the Education Code is amended to
14 read:

15 44662. (a) The governing board of each school district shall
16 establish standards of expected pupil achievement at each grade
17 level in each area of study.

18 (b) The governing board of each school district shall evaluate
19 and assess certificated employee performance as it reasonably
20 relates to:

21 (1) The progress of pupils toward the standards established
22 pursuant to subdivision (a) and, if applicable, the state adopted
23 academic content standards as measured by state adopted criterion
24 referenced assessments.

25 (2) The instructional techniques and strategies used by the
26 employee.

27 (3) The employee's adherence to curricular objectives.

28 (4) The establishment and maintenance of a suitable learning
29 environment, within the scope of the employee's responsibilities.

30 (c) The governing board of each school district shall establish
31 and define job responsibilities for certificated noninstructional
32 personnel, including, but not limited to, supervisory and
33 administrative personnel, whose responsibilities cannot be
34 evaluated appropriately under the provisions of subdivision (b)
35 and shall evaluate and assess the performance of those
36 noninstructional certificated employees as it reasonably relates to
37 the fulfillment of those responsibilities.

38 (d) Results of an employee's participation in the California Peer
39 Assistance and Review Program for Teachers established by Article

1 4.5 (commencing with Section 44500) shall be made available as
2 part of the evaluation conducted pursuant to this section.

3 (e) The evaluation and assessment of certificated employee
4 performance pursuant to this section shall not include the use of
5 publishers' norms established by standardized tests.

6 (f) Nothing in this section shall be construed as in any way
7 limiting the authority of the governing board of a school district
8 to develop and adopt additional evaluation and assessment
9 guidelines or criteria.

10 (g) This section shall become inoperative on July 1, 2018, and,
11 as of January 1, 2019, is repealed, unless a later enacted statute,
12 that becomes operative on or before January 1, 2019, deletes or
13 extends the dates on which it becomes inoperative and is repealed.

14 SEC. 9. Section 44662 is added to the Education Code, to read:
15 44662. (a) A best practices teacher evaluation system shall
16 include, but not be limited to, the following attributes:

17 (1) An evaluation of each teacher based on the degree to which
18 he or she accomplishes the following objectives:

19 (A) Engages and supports all pupils in learning, evidence of
20 which may include, but is not limited to, evidence of high
21 expectations and active pupil engagement for each pupil.

22 (B) Creates and maintains effective environments for pupil
23 learning, to the extent that those environments are within the
24 teacher's control.

25 (C) Understands and organizes subject matter for pupil learning,
26 evidence of which may include, but is not limited to, extensive
27 subject matter, content standards, and curriculum competence.

28 (D) Plans instruction and designs learning experiences for all
29 pupils, evidence of which may include, but is not limited to, use
30 of differentiated instruction and practices based upon pupil progress
31 and use of culturally responsive instruction, including, but not
32 limited to, incorporation of multicultural information and content
33 into the delivery of curriculum, to eliminate the achievement gap.

34 (E) Uses pupil assessment information to inform instruction
35 and to improve learning, evidence of which shall include, but is
36 not limited to, use of formative and summative assessments to
37 adjust instructional practices to meet the needs of individual pupils.
38 For certificated employees who directly instruct English learner
39 pupils in acquiring English language fluency, the assessment
40 information shall include the results of assessments adopted

1 pursuant to Chapter 7 (commencing with Section 60810) of Part
2 33 of Division 4.

3 (F) Develops, as a professional educator, evidence of which
4 may include, but is not limited to, consistent and positive
5 relationships with pupils, parents, staff, and administrators, use of
6 collaborative professional practices for improving instructional
7 strategies, participation in identified professional growth
8 opportunities, and use of meaningful self-assessment to improve
9 as a professional educator.

10 (G) Contributes to pupil academic growth based on multiple
11 measures, as follows:

12 (i) Multiple measures shall include state and local formative
13 and summative assessments in the grade levels and subjects ~~that~~
14 *for which* these assessments are ~~administered~~ *administered that*
15 *are applicable to the teaching assignment being evaluated.*

16 (ii) ~~Multiple~~ *As available and applicable for the grade level*
17 *and subject taught, multiple* measures ~~may~~ *shall also* include, but
18 are not limited to, classroom work, *other* local and state academic
19 assessments, and pupil grades, classroom participation,
20 presentations and performances, and projects and portfolios.

21 (iii) For certificated employees who directly instruct English
22 learner pupils in acquiring English, measures shall include the
23 degree to which pupils acquire the English language development
24 standards adopted pursuant to former Section 60811.3, as that
25 section read on June 30, 2013, or Section 60811.4, for the purpose
26 of improving a pupil's English proficiency.

27 (iv) Pupil data used for purposes of teacher evaluation shall be
28 confidential in the same manner as all other elements of a teacher's
29 personnel file.

30 (2) Multiple observations of instructional and other professional
31 practices that are conducted by evaluators who have been
32 appropriately trained and calibrated to ensure consistency and who
33 have demonstrated competence in teacher evaluation, as determined
34 by the school district.

35 (A) Multiple observations may include, but are not limited to,
36 classroom observations, one-on-one discussions, and review of
37 classroom materials and course of study.

38 (B) Observations shall be conducted using a uniform evaluation
39 tool that is appropriate to the teacher's assignment.

1 (C) Before each formal observation, the observer shall meet
2 with the teacher to discuss the purpose of the observation.

3 (D) After each formal observation, the observer shall meet with
4 the teacher to discuss recommendations, as necessary, with regard
5 to areas of improvement in the performance of the teacher.

6 (E) Nothing in this subdivision shall prohibit evaluators from
7 conducting unscheduled classroom visits.

8 (3) A minimum of three performance levels for the evaluation
9 of teacher performance for purposes of Section 44664.

10 (b) This section shall not be interpreted to prohibit a locally
11 negotiated evaluation process from designating certificated
12 employees to conduct, or participate in, evaluations of other
13 certificated employees for purposes of determining the need for
14 professional development or providing corrective advice for the
15 certificated employee being evaluated. A nonsupervisory
16 certificated employee who conducts, or participates in, an
17 evaluation pursuant to this article shall not be deemed to be
18 exercising a management or supervisory function as defined by
19 subdivision (g) or (m) of Section 3540.1 of the Government Code.

20 (c) This section shall not apply to certificated employees who
21 perform a management employee or supervisory employee
22 function, as defined in subdivision (g) or (m), respectively, of
23 Section 3540.1 of the Government Code.

24 (d) Notwithstanding any other law, a best practices teacher
25 evaluation system adopted pursuant to this article shall not omit
26 any of the attributes specified in this section.

27 (e) This section shall become operative on July 1, 2018.

28 SEC. 10. Section 44662.1 is added to the Education Code, to
29 read:

30 44662.1. The state board, in consultation with the
31 Superintendent and appropriate education stakeholder groups, may
32 adopt nonregulatory guidance to support the implementation of a
33 best practices teacher evaluation system by school districts and
34 county offices of education that may include all of the following:

35 (a) Model evaluation systems that may be used by school
36 districts and county offices of education to implement the best
37 practices teacher evaluation system pursuant to Sections 44661
38 and 44662, as added by Sections 6 and 9 of the act adding this
39 section.

1 (b) Model processes for implementing observations of
2 instructional and other professional practices pursuant to paragraph
3 (2) of subdivision (a) of Section 44662, as added by Section 9 of
4 the act adding this section.

5 (c) Model processes for defining calibration for purposes of
6 training evaluators pursuant to paragraph (2) of subdivision (a) of
7 Section 44662, as added by Section 9 of the act adding this section.

8 (d) Model processes for developing the observation tool that
9 may be used for observations of instructional and other professional
10 practices pursuant to paragraph (2) of subdivision (a) of Section
11 44662, as added by Section 9 of the act adding this section.

12 (e) Model processes for determining and defining the
13 performance levels for the evaluation of teacher performance
14 pursuant to paragraph (3) of subdivision (a) of Section 44662, as
15 added by Section 9 of the act adding this section.

16 SEC. 11. Section 44662.5 is added to the Education Code, to
17 read:

18 44662.5. (a) The governing board of each school district and
19 each county board of education shall establish and define job
20 responsibilities for certificated, noninstructional employees,
21 including, but not limited to, supervisory and administrative
22 personnel, whose responsibilities cannot be evaluated appropriately
23 under the provisions of subdivision (a) of Section 44662. The
24 governing board of each school district and each county board of
25 education shall provide for the evaluation and assessment of the
26 performance of certificated, noninstructional employees as it
27 reasonably relates to the fulfillment of those responsibilities.

28 (b) This section shall become operative on July 1, 2018.

29 SEC. 12. Section 44662.6 is added to the Education Code, to
30 read:

31 44662.6. (a) (1) On or before May 1, 2016, or May 1 of the
32 year that precedes the year in which an existing collective
33 bargaining contract will expire, whichever is later, the governing
34 board of each school district and each county board of education,
35 at a regularly scheduled public hearing, shall seek comment on
36 the development and implementation of the best practices teacher
37 evaluation system. The governing board of a school district and a
38 county board of education shall use the comments received at the
39 hearing to guide the development and implementation of the best
40 practices teacher evaluation system.

1 (2) On or before May 1 of each year before local negotiations
2 required pursuant to Chapter 10.7 (commencing with Section 3540)
3 of Division 4 of Title 1 of the Government Code, the governing
4 board of each school district and each county board of education
5 shall seek comment on the best practices teacher evaluation system.
6 The governing board of each school district and each county board
7 of education shall also seek public comment on the best practices
8 teacher evaluation system both during local negotiations and before
9 ~~the any~~ final agreement *of pursuant to* local negotiations.

10 (3) If, by mutual agreement between a school district or county
11 office of education and the collective bargaining unit, an
12 intermediate midyear agreement is reached regarding a best
13 practices teacher evaluation system, the negotiation timeline shall
14 allow time for the governing board of the school district or the
15 county board of education to hold a public hearing to seek comment
16 on the best practices teacher evaluation system.

17 (b) Consistent with Section 3547 of the Government Code and
18 no more than 30 days after the local negotiations required pursuant
19 to Chapter 10.7 (commencing with Section 3540) of Division 4 of
20 Title 1 of the Government Code, the governing board of each
21 school district and each county board of education shall disclose
22 the provisions of the best practices teacher evaluation system at a
23 regularly scheduled public hearing.

24 (c) This section shall also apply to the school administrator
25 evaluation program established pursuant to Article 13 (commencing
26 with Section 44670), as added by Section 16 of the act adding this
27 section.

28 SEC. 13. Section 44662.7 is added to the Education Code, to
29 read:

30 44662.7. (a) This article does not supersede or invalidate a
31 teacher evaluation system that is locally negotiated pursuant to
32 Chapter 10.7 (commencing with Section 3540) of Division 4 of
33 Title 1 of the Government Code and that is in effect at the time
34 this section becomes operative. If a locally negotiated teacher
35 evaluation system is in effect at the time this section becomes
36 operative, the teacher evaluation system shall remain in effect until
37 the parties to the agreement negotiate a successor agreement. A
38 memorandum of understanding shall not extend the adoption of a
39 locally negotiated teacher evaluation system that is in effect at the
40 time this section becomes operative.

1 (b) This section shall become operative on July 1, 2018.
2 SEC. 14. Section 44664 of the Education Code is amended to
3 read:

4 44664. (a) Evaluation and assessment of the performance of
5 each certificated employee shall be made on a continuing basis as
6 follows:

- 7 (1) At least once each school year for probationary personnel.
- 8 (2) At least every other year for personnel with permanent status.
- 9 (3) At least every five years for personnel with permanent status
10 who have been employed at least 10 years with the school district,
11 are highly qualified, if those personnel occupy positions that are
12 required to be filled by a highly qualified professional by the
13 federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301
14 et seq.), as defined in Section 7801 of Title 20 of the United States
15 Code, and whose previous evaluation rated the employee as
16 meeting or exceeding standards, if the evaluator and certificated
17 employee being evaluated agree. The certificated employee or the
18 evaluator may withdraw consent at any time.

19 (b) The evaluation shall include recommendations, if necessary,
20 as to areas of improvement in the performance of the certificated
21 employee.

22 (1) If an employee is not performing his or her duties in a
23 satisfactory manner according to the standards prescribed by the
24 governing board of the school district, the employing authority
25 shall notify the certificated employee in writing of that fact and
26 describe the unsatisfactory performance.

27 (2) The employing authority shall thereafter confer with the
28 certificated employee making specific recommendations as to areas
29 of improvement in the certificated employee’s performance and
30 endeavor to assist the employee in his or her performance.

31 (3) If a permanent certificated employee has received an
32 unsatisfactory evaluation, the employing authority shall annually
33 evaluate the certificated employee until the certificated employee
34 achieves a positive evaluation or is separated from the school
35 district.

36 (c) (1) An evaluation performed pursuant to this article that
37 contains an unsatisfactory rating of a certificated employee’s
38 performance in the area of teaching methods or instruction may
39 include the requirement that the certificated employee shall, as
40 determined necessary by the employing authority, participate in a

1 program designed to improve appropriate areas of the certificated
2 employee's performance and to further pupil achievement and the
3 instructional objectives of the employing authority.

4 (2) If a school district participates in the California Peer
5 Assistance and Review Program for Teachers established pursuant
6 to Article 4.5 (commencing with Section 44500), a certificated
7 employee who receives an unsatisfactory rating on an evaluation
8 performed pursuant to this section shall participate in the California
9 Peer Assistance and Review Program for Teachers.

10 (d) Hourly and temporary hourly certificated employees, other
11 than those employed in adult education classes who are excluded
12 by the provisions of Section 44660, and substitute teachers may
13 be excluded from the provisions of this section at the discretion
14 of the governing board of the school district.

15 (e) This section shall become inoperative on July 1, 2018, and,
16 as of January 1, 2019, is repealed, unless a later enacted statute,
17 that becomes operative on or before January 1, 2019, deletes or
18 extends the dates on which it becomes inoperative and is repealed.

19 SEC. 15. Section 44664 is added to the Education Code, to
20 read:

21 44664. (a) Evaluation and assessment of the performance of
22 each certificated employee shall be made on a continuing basis as
23 follows:

24 (1) At least once each school year for probationary personnel.

25 (2) At least every other year for personnel with permanent status.

26 (3) (A) Except as may be provided in the best practices teacher
27 evaluation system locally negotiated pursuant to subdivision (b)
28 of Section 44661, at least every three years for personnel with
29 permanent status who have been employed at least 10 years with
30 the school district or the county office of education, are highly
31 qualified, if those personnel occupy positions that are required to
32 be filled by a highly qualified professional by the federal No Child
33 Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), as defined
34 in Section 7801 of Title 20 of the United States Code, and whose
35 previous evaluation rated the employee as meeting or exceeding
36 standards, if the evaluator and certificated employee being
37 evaluated agree. The certificated employee or the evaluator may
38 withdraw consent at any time.

1 (B) The evaluator shall conduct at least one unscheduled
2 observation per year during a year when the certificated employee
3 does not receive a formal performance evaluation and assessment.

4 (b) The evaluation shall include recommendations, if necessary,
5 as to areas of improvement in the performance of the certificated
6 employee.

7 (1) If a certificated employee is not performing his or her duties
8 in a satisfactory manner according to the standards prescribed by
9 the governing board of the school district or the county board of
10 education, the employing authority shall notify the certificated
11 employee in writing of that fact and describe the unsatisfactory
12 performance.

13 (2) The employing authority shall thereafter confer with the
14 certificated employee making specific recommendations as to areas
15 of improvement in the certificated employee’s performance and
16 endeavor to assist the certificated employee in his or her
17 performance.

18 (3) If a permanent certificated employee has received an
19 unsatisfactory evaluation, the employing authority shall do both
20 of the following:

21 (A) Provide professional development based on the specific
22 recommendations as to areas of improvement in the certificated
23 employee’s performance.

24 (B) Annually evaluate the certificated employee until the
25 certificated employee achieves a positive evaluation or is separated
26 from the school district or the county office of education.

27 (c) (1) An evaluation performed pursuant to this article that
28 contains an unsatisfactory rating of a permanent certificated
29 employee’s performance in the area of teaching methods or
30 instruction may include the requirement that the certificated
31 employee shall, as determined necessary by the employing
32 authority, participate in a program designed to improve appropriate
33 areas of the certificated employee’s performance and to further
34 pupil achievement and the instructional objectives of the employing
35 authority.

36 (2) For an evaluation performed pursuant to this article that
37 contains an unsatisfactory rating of a probationary certificated
38 employee’s performance in the area of teaching methods or
39 instruction, the employing authority may elect to offer a program
40 designed to improve appropriate areas of the probationary

1 certificated employee’s performance and to further pupil
2 achievement and the instructional objectives of the employing
3 authority.

4 (3) If a school district or county office of education participates
5 in the California Peer Assistance and Review Program for Teachers
6 established pursuant to Article 4.5 (commencing with Section
7 44500), a certificated employee who receives an unsatisfactory
8 rating on an evaluation performed pursuant to this section shall
9 participate in the California Peer Assistance and Review Program
10 for Teachers.

11 (d) Hourly and temporary hourly certificated employees, other
12 than those employed in adult education classes who are excluded
13 by the provisions of Section 44660, and substitute teachers may
14 be excluded from the provisions of this section at the discretion
15 of the governing board.

16 (e) This section shall become operative on July 1, 2018.

17 SEC. 16. Article 13 (commencing with Section 44670) is added
18 to Chapter 3 of Part 25 of Division 3 of Title 2 of the Education
19 Code, to read:

20

21

Article 13. Administrator Evaluations

22

23 44670. (a) The governing board of each school district and
24 each county board of education shall establish a system of
25 evaluation for school administrators to guide their growth and
26 performance with the purpose of supporting them as instructional
27 leaders in order to raise pupil achievement. The evaluation system
28 shall include, but not be limited to, all of the following attributes:

29 (1) Promoting the success of all pupils by facilitating the
30 development and implementation of a vision of pupil learning,
31 including, but not limited to, communicating with parents, pupils,
32 and the community regarding the importance of a standards-based
33 education and high expectations for all pupils.

34 (2) Advocating and supporting a safe, nurturing school culture
35 that sustains a quality instructional program conducive to pupil
36 learning and staff professional growth, including, but not limited
37 to, all of the following:

38 (A) Promoting equity, fairness, and respect among staff, pupils,
39 and members of the school community with acknowledgment of
40 the role cultural attributes have in pupil learning.

1 (B) Supporting professional development opportunities for staff
2 that encourage collaboration and effective instructional practice
3 with the goal of improving outcomes for all pupils.

4 (3) Ensuring the management, organization, and operation of a
5 safe and successful learning environment, as evidenced by the
6 establishment of effective practices for personnel and resource
7 management, campus safety, and school climate, including, but
8 not limited to, supporting curricular and management leadership
9 in all of these areas and successfully implementing a best practices
10 teacher evaluation system established pursuant to Sections 44661
11 and 44662, as added by Sections 6 and 9 of the act adding this
12 section.

13 (4) Collaborating with parents and the community to establish
14 an inclusive school environment, including, but not limited to,
15 embracing and recognizing that diversity strengthens a learning
16 environment and promotes meaningful parent and community
17 engagement, as required by Section 52062 for the development of
18 the local control and accountability plan established pursuant to
19 Section 52060.

20 (5) (A) Providing ethical and professional leadership that fosters
21 effective instructional practice as evidenced by promoting quality
22 teaching and instructional strategies and provides relevant, effective
23 feedback that leads to pupil learning. School administrators shall
24 be held accountable for the academic growth of pupils over time
25 and academic growth shall be based on multiple measures that
26 may include pupil work as well as pupil and school longitudinal
27 data.

28 (B) Multiple measures shall include state and local formative
29 and summative assessments. For school administrators who
30 supervise certificated staff that directly instruct English learner
31 pupils acquiring English, assessment information shall include the
32 results of assessments adopted pursuant to Chapter 7 (commencing
33 with Section 60810) of Part 33 of Division 4.

34 (C) Multiple measures may include, but are not limited to,
35 benchmark, end of chapter, end of course, advanced placement,
36 international baccalaureate, college entrance, or performance
37 assessments.

38 (D) Pupil data used for purposes of an administrator evaluation
39 shall be confidential in the same manner as all other elements of
40 an administrator's personnel file.

1 (6) Providing professional leadership by understanding,
2 responding, and influencing the larger social, political, cultural
3 and legal context with the goal of ensuring pupil success, as
4 evidenced by working in collaboration with the governing board
5 of the school district or the county board of education, bargaining
6 units, and local school, school district or county office of education,
7 and community leaders.

8 (b) The governing board of the school district and the county
9 board of education shall identify who will conduct the evaluation
10 of each school administrator.

11 (1) A school administrator shall be evaluated annually for the
12 first and second year of employment as a new administrator in a
13 school district or county office of education. The governing board
14 of the school district or the county board of education may
15 determine the frequency at regular intervals of evaluations after
16 this period.

17 (2) Additional evaluations that occur outside of the regular
18 intervals determined by the governing board of the school district
19 or the county board of education shall be agreed upon between the
20 evaluator and the administrator.

21 (3) Evaluators and administrators shall review school success
22 and progress throughout the year. This review should include goals
23 that are defined by the school district or the county office of
24 education, including, but not limited to, the goals specified in the
25 local control and accountability plan approved by the governing
26 board of the school district pursuant to Section 52060 or by the
27 county board of education pursuant to Section 52066.

28 (c) Notwithstanding any other law, a school administrator
29 evaluation system adopted pursuant to this article shall not omit
30 any of the attributes specified in this section.

31 (d) This article shall become operative on July 1, 2018.

32 SEC. 17. Section 44672 is added to the Education Code, to
33 read:

34 44672. This article shall become inoperative on July 1, 2018,
35 and, as of January 1, 2019, is repealed, unless a later enacted
36 statute, that becomes operative on or before January 1, 2019,
37 deletes or extends the dates on which it becomes inoperative and
38 is repealed.

39 SEC. 18. Section 17581.6 of the Government Code is amended
40 to read:

1 17581.6. (a) Funding apportioned pursuant to this section shall
2 constitute reimbursement pursuant to Section 6 of Article XIII B
3 of the California Constitution for the performance of any state
4 mandates included in the statutes and executive orders identified
5 in subdivision (e).

6 (b) Any school district, county office of education, or charter
7 school may elect to receive block grant funding pursuant to this
8 section.

9 (c) (1) A school district, county office of education, or charter
10 school that elects to receive block grant funding pursuant to this
11 section in a given fiscal year shall submit a letter requesting
12 funding to the Superintendent of Public Instruction on or before
13 August 30 of that fiscal year.

14 (2) The Superintendent of Public Instruction shall, in the month
15 of November of each year, apportion block grant funding
16 appropriated pursuant to Item 6110-296-0001 of Section 2.00 of
17 the annual Budget Act to all school districts, county offices of
18 education, and charter schools that submitted letters requesting
19 funding in that fiscal year according to the provisions of that item.

20 (3) A school district or county office of education that receives
21 block grant funding pursuant to this section shall not be eligible
22 to submit claims to the Controller for reimbursement pursuant to
23 Section 17560 for any costs of any state mandates included in the
24 statutes and executive orders identified in subdivision (e) incurred
25 in the same fiscal year during which the school district or county
26 office of education received funding pursuant to this section.

27 (d) Block grant funding apportioned pursuant to this section is
28 subject to annual financial and compliance audits required by
29 Section 41020 of the Education Code.

30 (e) Block grant funding apportioned pursuant to this section is
31 specifically intended to fund the costs of the following programs
32 and activities:

33 (1) Academic Performance Index (01-TC-22; Chapter 3 of the
34 Statutes of 1999, First Extraordinary Session; and Chapter 695 of
35 the Statutes of 2000).

36 (2) Agency Fee Arrangements (00-TC-17 and 01-TC-14;
37 Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes
38 of 2001).

- 1 (3) AIDS Instruction and AIDS Prevention Instruction (CSM
2 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of
3 1991; and Chapter 403 of the Statutes of 1998).
- 4 (4) California State Teachers' Retirement System (CalSTRS)
5 Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994;
6 Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838
7 of the Statutes of 1997; Chapter 965 of the Statutes of 1998;
8 Chapter 939 of the Statutes of 1999; and Chapter 1021 of the
9 Statutes of 2000).
- 10 (5) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes
11 of 1994).
- 12 (6) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and
13 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and
14 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998;
15 and Chapter 78 of the Statutes of 1999).
- 16 (7) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes
17 of 2002).
- 18 (8) Child Abuse and Neglect Reporting (01-TC-21; Chapters
19 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes
20 of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the
21 Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters
22 133 and 754 of the Statutes of 2001).
- 23 (9) Collective Bargaining (CSM 4425; Chapter 961 of the
24 Statutes of 1975).
- 25 (10) Comprehensive School Safety Plans (98-TC-01 and
26 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of
27 the Statutes of 1999; and Chapter 828 of the Statutes of 2003).
- 28 (11) Consolidation of Annual Parent Notification/Schoolsite
29 Discipline Rules/Alternative Schools (CSM 4488, CSM 4461,
30 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM
31 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the
32 Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469
33 of the Statutes of 1981; Chapter 459 of the Statutes of 1985;
34 Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the
35 Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988;
36 Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the
37 Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter
38 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997;
39 Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the
40 Statutes of 1999, First Extraordinary Session; Chapter 73 of the

1 Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895
2 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

3 (12) Consolidation of Law Enforcement Agency Notification
4 and Missing Children Reports (CSM 4505; Chapter 1117 of the
5 Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of
6 1986; and Chapter 832 of the Statutes of 1999).

7 (13) Consolidation of Notification to Teachers: Pupils Subject
8 to Suspension or Expulsion I and II, and Pupil Discipline Records
9 (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

10 (14) County Office of Education Fiscal Accountability Reporting
11 (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987;
12 Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of
13 the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter
14 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes
15 of 1993; Chapters 650 and 1002 of the Statutes of 1994; and
16 Chapter 525 of the Statutes of 1995).

17 (15) Criminal Background Checks (97-TC-16; Chapters 588
18 and 589 of the Statutes of 1997).

19 (16) Criminal Background Checks II (00-TC-05; Chapters 594
20 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of
21 1999).

22 (17) Developer Fees (02-TC-42; Chapter 955 of the Statutes of
23 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the
24 Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923
25 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983;
26 Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes
27 of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter
28 1228 of the Statutes of 1994).

29 (18) Differential Pay and Reemployment (99-TC-02; Chapter
30 30 of the Statutes of 1998).

31 (19) Expulsion of Pupil: Transcript Cost for Appeals (SMAS;
32 Chapter 1253 of the Statutes of 1975).

33 (20) Financial and Compliance Audits (CSM 4498 and CSM
34 4498-A; Chapter 36 of the Statutes of 1977).

35 (21) Graduation Requirements (CSM 4181; Chapter 498 of the
36 Statutes of 1983).

37 (22) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter
38 1184 of the Statutes of 1975).

- 1 (23) High School Exit Examination (00-TC-06; Chapter 1 of
2 the Statutes of 1999, First Extraordinary Session; and Chapter 135
3 of the Statutes of 1999).
- 4 (24) Immunization Records (SB 90-120; Chapter 1176 of the
5 Statutes of 1977).
- 6 (25) Immunization Records—Hepatitis B (98-TC-05; Chapter
7 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979;
8 Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes
9 of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of
10 the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995;
11 Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882
12 of the Statutes of 1997).
- 13 (26) Interdistrict Attendance Permits (CSM 4442; Chapters 172
14 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of
15 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the
16 Statutes of 1992).
- 17 (27) Intradistrict Attendance (CSM 4454; Chapters 161 and 915
18 of the Statutes of 1993).
- 19 (28) Juvenile Court Notices II (CSM 4475; Chapters 1011 and
20 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994;
21 and Chapter 71 of the Statutes of 1995).
- 22 (29) Notification of Truancy (CSM 4133; Chapter 498 of the
23 Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter
24 19 of the Statutes of 1995).
- 25 (30) Parental Involvement Programs (03-TC-16; Chapter 1400
26 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of
27 1998; and Chapter 1037 of the Statutes of 2002).
- 28 (31) Physical Performance Tests (96-365-01; Chapter 975 of
29 the Statutes of 1995).
- 30 (32) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the
31 Statutes of 1978).
- 32 (33) Public Contracts (02-TC-35; Chapter 1073 of the Statutes
33 of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the
34 Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter
35 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992;
36 and Chapter 726 of the Statutes of 1994).
- 37 (34) Pupil Health Screenings (CSM 4440; Chapter 1208 of the
38 Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter
39 750 of the Statutes of 1992).

1 (35) Pupil Promotion and Retention (98-TC-19; Chapter 100
2 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982;
3 Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes
4 of 1990; and Chapters 742 and 743 of the Statutes of 1998).

5 (36) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes
6 of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the
7 Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332
8 of the Statutes of 1986; Chapter 445 of the Statutes of 1992;
9 Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes
10 of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of
11 the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

12 (37) Pupil Expulsions (CSM 4455; Chapter 1253 of the Statutes
13 of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the
14 Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498
15 of the Statutes of 1983; Chapter 622 of the Statutes of 1984;
16 Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes
17 of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256,
18 and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes
19 of 1994).

20 (38) Pupil Expulsion Appeals (CSM 4463; Chapter 1253 of the
21 Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668
22 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

23 (39) Pupil Suspensions (CSM 4456; Chapter 965 of the Statutes
24 of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the
25 Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856
26 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987).

27 (40) School Accountability Report Cards (97-TC-21, 00-TC-09,
28 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997;
29 Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes
30 of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the
31 Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

32 (41) School District Fiscal Accountability Reporting (97-TC-19;
33 Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes
34 of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and
35 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the
36 Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter
37 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992;
38 Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and
39 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of
40 1995).

1 (42) School District Reorganization (98-TC-24; Chapter 1192
2 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

3 (43) Student Records (02-TC-34; Chapter 593 of the Statutes
4 of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the
5 Statutes of 1998; and Chapter 67 of the Statutes of 2000).

6 (44) The Stull Act (98-TC-25; Chapter 498 of the Statutes of
7 1983; and Chapter 4 of the Statutes of 1999).

8 (45) Threats Against Peace Officers (CSM 96-365-02; Chapter
9 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of
10 1995).

11 (46) Uniform Complaint Procedures (03-TC-02; Chapter 1117
12 of the Statutes of 1982; Chapter 1514 of the Statutes 1988; and
13 Chapter 914 of the Statutes of 1998).

14 (47) Williams Case Implementation I, II, and III (05-TC-04,
15 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the
16 Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704
17 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

18 (48) Pupil Expulsions II, Pupil Suspensions II, and Educational
19 Services Plan for Expelled Pupils (96-358-03, 03A, 98-TC-22,
20 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the
21 Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of
22 1996; Chapter 637 of the Statutes of 1997; Chapter 498 of the
23 Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147
24 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001).

25 (f) Notwithstanding Section 10231.5, on or before November
26 1 of each fiscal year, the Superintendent of Public Instruction shall
27 produce a report that indicates the total amount of block grant
28 funding each school district, county office of education, and charter
29 school received in that fiscal year pursuant to this section. The
30 Superintendent of Public Instruction shall provide this report to
31 the appropriate fiscal and policy committees of the Legislature,
32 the Controller, the Department of Finance, and the Legislative
33 Analyst's Office.

34 (g) This section shall become inoperative on July 1, 2018, and,
35 as of January 1, 2019, is repealed, unless a later enacted statute,
36 that becomes operative on or before January 1, 2019, deletes or
37 extends the dates on which it becomes inoperative and is repealed.

38 SEC. 19. Section 17581.6 is added to the Government Code,
39 to read:

1 17581.6. (a) Funding apportioned pursuant to this section shall
2 constitute reimbursement pursuant to Section 6 of Article XIII B
3 of the California Constitution for the performance of any state
4 mandates included in the statutes and executive orders identified
5 in subdivision (e).
6 (b) Any school district, county office of education, or charter
7 school may elect to receive block grant funding pursuant to this
8 section.
9 (c) (1) A school district, county office of education, or charter
10 school that elects to receive block grant funding pursuant to this
11 section in a given fiscal year shall submit a letter requesting
12 funding to the Superintendent of Public Instruction on or before
13 August 30 of that fiscal year.
14 (2) The Superintendent of Public Instruction shall, in the month
15 of November of each year, apportion block grant funding
16 appropriated pursuant to Item 6110-296-0001 of Section 2.00 of
17 the annual Budget Act to all school districts, county offices of
18 education, and charter schools that submitted letters requesting
19 funding in that fiscal year according to the provisions of that item.
20 (3) A school district or county office of education that receives
21 block grant funding pursuant to this section shall not be eligible
22 to submit claims to the Controller for reimbursement pursuant to
23 Section 17560 for any costs of any state mandates included in the
24 statutes and executive orders identified in subdivision (e) incurred
25 in the same fiscal year during which the school district or county
26 office of education received funding pursuant to this section.
27 (d) Block grant funding apportioned pursuant to this section is
28 subject to annual financial and compliance audits required by
29 Section 41020 of the Education Code.
30 (e) Block grant funding apportioned pursuant to this section is
31 specifically intended to fund the costs of the following programs
32 and activities:
33 (1) Academic Performance Index (01-TC-22; Chapter 3 of the
34 Statutes of 1999, First Extraordinary Session; and Chapter 695 of
35 the Statutes of 2000).
36 (2) Agency Fee Arrangements (00-TC-17 and 01-TC-14;
37 Chapter 893 of the Statutes of 2000 and Chapter 805 of the Statutes
38 of 2001).

- 1 (3) AIDS Instruction and AIDS Prevention Instruction (CSM
2 4422, 99-TC-07, and 00-TC-01; Chapter 818 of the Statutes of
3 1991; and Chapter 403 of the Statutes of 1998).
- 4 (4) California State Teachers' Retirement System (CalSTRS)
5 Service Credit (02-TC-19; Chapter 603 of the Statutes of 1994;
6 Chapters 383, 634, and 680 of the Statutes of 1996; Chapter 838
7 of the Statutes of 1997; Chapter 965 of the Statutes of 1998;
8 Chapter 939 of the Statutes of 1999; and Chapter 1021 of the
9 Statutes of 2000).
- 10 (5) Caregiver Affidavits (CSM 4497; Chapter 98 of the Statutes
11 of 1994).
- 12 (6) Charter Schools I, II, and III (CSM 4437, 99-TC-03, and
13 99-TC-14; Chapter 781 of the Statutes of 1992; Chapters 34 and
14 673 of the Statutes of 1998; Chapter 34 of the Statutes of 1998;
15 and Chapter 78 of the Statutes of 1999).
- 16 (7) Charter Schools IV (03-TC-03; Chapter 1058 of the Statutes
17 of 2002).
- 18 (8) Child Abuse and Neglect Reporting (01-TC-21; Chapters
19 640 and 1459 of the Statutes of 1987; Chapter 132 of the Statutes
20 of 1991; Chapter 459 of the Statutes of 1992; Chapter 311 of the
21 Statutes of 1998; Chapter 916 of the Statutes of 2000; and Chapters
22 133 and 754 of the Statutes of 2001).
- 23 (9) Collective Bargaining (CSM 4425; Chapter 961 of the
24 Statutes of 1975).
- 25 (10) Comprehensive School Safety Plans (98-TC-01 and
26 99-TC-10; Chapter 736 of the Statutes of 1997; Chapter 996 of
27 the Statutes of 1999; and Chapter 828 of the Statutes of 2003).
- 28 (11) Consolidation of Annual Parent Notification/Schoolsite
29 Discipline Rules/Alternative Schools (CSM 4488, CSM 4461,
30 99-TC-09, 00-TC-12, 97-TC-24, CSM 4453, CSM 4474, CSM
31 4462; Chapter 448 of the Statutes of 1975; Chapter 965 of the
32 Statutes of 1977; Chapter 975 of the Statutes of 1980; Chapter 469
33 of the Statutes of 1981; Chapter 459 of the Statutes of 1985;
34 Chapters 87 and 97 of the Statutes of 1986; Chapter 1452 of the
35 Statutes of 1987; Chapters 65 and 1284 of the Statutes of 1988;
36 Chapter 213 of the Statutes of 1989; Chapters 10 and 403 of the
37 Statutes of 1990; Chapter 906 of the Statutes of 1992; Chapter
38 1296 of the Statutes of 1993; Chapter 929 of the Statutes of 1997;
39 Chapters 846 and 1031 of the Statutes of 1998; Chapter 1 of the
40 Statutes of 1999, First Extraordinary Session; Chapter 73 of the

1 Statutes of 2000; Chapter 650 of the Statutes of 2003; Chapter 895
2 of the Statutes of 2004; and Chapter 677 of the Statutes of 2005).

3 (12) Consolidation of Law Enforcement Agency Notification
4 and Missing Children Reports (CSM 4505; Chapter 1117 of the
5 Statutes of 1989 and 01-TC-09; Chapter 249 of the Statutes of
6 1986; and Chapter 832 of the Statutes of 1999).

7 (13) Consolidation of Notification to Teachers: Pupils Subject
8 to Suspension or Expulsion I and II, and Pupil Discipline Records
9 (00-TC-10 and 00-TC-11; Chapter 345 of the Statutes of 2000).

10 (14) County Office of Education Fiscal Accountability Reporting
11 (97-TC-20; Chapters 917 and 1452 of the Statutes of 1987;
12 Chapters 1461 and 1462 of the Statutes of 1988; Chapter 1372 of
13 the Statutes of 1990; Chapter 1213 of the Statutes of 1991; Chapter
14 323 of the Statutes of 1992; Chapters 923 and 924 of the Statutes
15 of 1993; Chapters 650 and 1002 of the Statutes of 1994; and
16 Chapter 525 of the Statutes of 1995).

17 (15) Criminal Background Checks (97-TC-16; Chapters 588
18 and 589 of the Statutes of 1997).

19 (16) Criminal Background Checks II (00-TC-05; Chapters 594
20 and 840 of the Statutes of 1998; and Chapter 78 of the Statutes of
21 1999).

22 (17) Developer Fees (02-TC-42; Chapter 955 of the Statutes of
23 1977; Chapter 282 of the Statutes of 1979; Chapter 1354 of the
24 Statutes of 1980; Chapter 201 of the Statutes of 1981; Chapter 923
25 of the Statutes of 1982; Chapter 1254 of the Statutes of 1983;
26 Chapter 1062 of the Statutes of 1984; Chapter 1498 of the Statutes
27 of 1985; Chapters 136 and 887 of the Statutes of 1986; and Chapter
28 1228 of the Statutes of 1994).

29 (18) Differential Pay and Reemployment (99-TC-02; Chapter
30 30 of the Statutes of 1998).

31 (19) Expulsion of Pupil: Transcript Cost for Appeals (SMAS;
32 Chapter 1253 of the Statutes of 1975).

33 (20) Financial and Compliance Audits (CSM 4498 and CSM
34 4498-A; Chapter 36 of the Statutes of 1977).

35 (21) Graduation Requirements (CSM 4181; Chapter 498 of the
36 Statutes of 1983).

37 (22) Habitual Truants (CSM 4487 and CSM 4487-A; Chapter
38 1184 of the Statutes of 1975).

- 1 (23) High School Exit Examination (00-TC-06; Chapter 1 of
2 the Statutes of 1999, First Extraordinary Session; and Chapter 135
3 of the Statutes of 1999).
- 4 (24) Immunization Records (SB 90-120; Chapter 1176 of the
5 Statutes of 1977).
- 6 (25) Immunization Records—Hepatitis B (98-TC-05; Chapter
7 325 of the Statutes of 1978; Chapter 435 of the Statutes of 1979;
8 Chapter 472 of the Statutes of 1982; Chapter 984 of the Statutes
9 of 1991; Chapter 1300 of the Statutes of 1992; Chapter 1172 of
10 the Statutes of 1994; Chapters 291 and 415 of the Statutes of 1995;
11 Chapter 1023 of the Statutes of 1996; and Chapters 855 and 882
12 of the Statutes of 1997).
- 13 (26) Interdistrict Attendance Permits (CSM 4442; Chapters 172
14 and 742 of the Statutes of 1986; Chapter 853 of the Statutes of
15 1989; Chapter 10 of the Statutes of 1990; and Chapter 120 of the
16 Statutes of 1992).
- 17 (27) Intradistrict Attendance (CSM 4454; Chapters 161 and 915
18 of the Statutes of 1993).
- 19 (28) Juvenile Court Notices II (CSM 4475; Chapters 1011 and
20 1423 of the Statutes of 1984; Chapter 1019 of the Statutes of 1994;
21 and Chapter 71 of the Statutes of 1995).
- 22 (29) Notification of Truancy (CSM 4133; Chapter 498 of the
23 Statutes of 1983; Chapter 1023 of the Statutes of 1994; and Chapter
24 19 of the Statutes of 1995).
- 25 (30) Parental Involvement Programs (03-TC-16; Chapter 1400
26 of the Statutes of 1990; Chapters 864 and 1031 of the Statutes of
27 1998; and Chapter 1037 of the Statutes of 2002).
- 28 (31) Physical Performance Tests (96-365-01; Chapter 975 of
29 the Statutes of 1995).
- 30 (32) Prevailing Wage Rate (01-TC-28; Chapter 1249 of the
31 Statutes of 1978).
- 32 (33) Public Contracts (02-TC-35; Chapter 1073 of the Statutes
33 of 1985; Chapter 1408 of the Statutes of 1988; Chapter 330 of the
34 Statutes of 1989; Chapter 1414 of the Statutes of 1990; Chapter
35 321 of the Statutes of 1990; Chapter 799 of the Statutes of 1992;
36 and Chapter 726 of the Statutes of 1994).
- 37 (34) Pupil Health Screenings (CSM 4440; Chapter 1208 of the
38 Statutes of 1976; Chapter 373 of the Statutes of 1991; and Chapter
39 750 of the Statutes of 1992).

1 (35) Pupil Promotion and Retention (98-TC-19; Chapter 100
2 of the Statutes of 1981; Chapter 1388 of the Statutes of 1982;
3 Chapter 498 of the Statutes of 1983; Chapter 1263 of the Statutes
4 of 1990; and Chapters 742 and 743 of the Statutes of 1998).

5 (36) Pupil Safety Notices (02-TC-13; Chapter 498 of the Statutes
6 of 1983; Chapter 482 of the Statutes of 1984; Chapter 948 of the
7 Statutes of 1984; Chapter 196 of the Statutes of 1986; Chapter 332
8 of the Statutes of 1986; Chapter 445 of the Statutes of 1992;
9 Chapter 1317 of the Statutes of 1992; Chapter 589 of the Statutes
10 of 1993; Chapter 1172 of the Statutes of 1994; Chapter 1023 of
11 the Statutes of 1996; and Chapter 492 of the Statutes of 2000).

12 (37) Pupil Expulsions (CSM 4455; Chapter 1253 of the Statutes
13 of 1975; Chapter 965 of the Statutes of 1977; Chapter 668 of the
14 Statutes of 1978; Chapter 318 of the Statutes of 1982; Chapter 498
15 of the Statutes of 1983; Chapter 622 of the Statutes of 1984;
16 Chapter 942 of the Statutes of 1987; Chapter 1231 of the Statutes
17 of 1990; Chapter 152 of the Statutes of 1992; Chapters 1255, 1256,
18 and 1257 of the Statutes of 1993; and Chapter 146 of the Statutes
19 of 1994).

20 (38) Pupil Expulsion Appeals (CSM 4463; Chapter 1253 of the
21 Statutes of 1975; Chapter 965 of the Statutes of 1977; Chapter 668
22 of the Statutes of 1978; and Chapter 498 of the Statutes of 1983).

23 (39) Pupil Suspensions (CSM 4456; Chapter 965 of the Statutes
24 of 1977; Chapter 668 of the Statutes of 1978; Chapter 73 of the
25 Statutes of 1980; Chapter 498 of the Statutes of 1983; Chapter 856
26 of the Statutes of 1985; and Chapter 134 of the Statutes of 1987).

27 (40) School Accountability Report Cards (97-TC-21, 00-TC-09,
28 00-TC-13, and 02-TC-32; Chapter 918 of the Statutes of 1997;
29 Chapter 912 of the Statutes of 1997; Chapter 824 of the Statutes
30 of 1994; Chapter 1031 of the Statutes of 1993; Chapter 759 of the
31 Statutes of 1992; and Chapter 1463 of the Statutes of 1989).

32 (41) School District Fiscal Accountability Reporting (97-TC-19;
33 Chapter 100 of the Statutes of 1981; Chapter 185 of the Statutes
34 of 1985; Chapter 1150 of the Statutes of 1986; Chapters 917 and
35 1452 of the Statutes of 1987; Chapters 1461 and 1462 of the
36 Statutes of 1988; Chapter 525 of the Statutes of 1990; Chapter
37 1213 of the Statutes of 1991; Chapter 323 of the Statutes of 1992;
38 Chapters 923 and 924 of the Statutes of 1993; Chapters 650 and
39 1002 of the Statutes of 1994; and Chapter 525 of the Statutes of
40 1995).

1 (42) School District Reorganization (98-TC-24; Chapter 1192
2 of the Statutes of 1980; and Chapter 1186 of the Statutes of 1994).

3 (43) Student Records (02-TC-34; Chapter 593 of the Statutes
4 of 1989; Chapter 561 of the Statutes of 1993; Chapter 311 of the
5 Statutes of 1998; and Chapter 67 of the Statutes of 2000).

6 (44) The best practices teacher evaluation system described in
7 Sections 44661 and 44662 of the Education Code.

8 (45) The school administrator evaluation system described in
9 Section 44670 of the Education Code.

10 (46) The Stull Act (98-TC-25; Chapter 498 of the Statutes of
11 1983; and Chapter 4 of the Statutes of 1999).

12 (47) Threats Against Peace Officers (CSM 96-365-02; Chapter
13 1249 of the Statutes of 1992; and Chapter 666 of the Statutes of
14 1995).

15 (48) Uniform Complaint Procedures (03-TC-02; Chapter 1117
16 of the Statutes of 1982; Chapter 1514 of the Statutes 1988; and
17 Chapter 914 of the Statutes of 1998).

18 (49) Williams Case Implementation I, II, and III (05-TC-04,
19 07-TC-06, and 08-TC-01; Chapters 900, 902, and 903 of the
20 Statutes of 2004; Chapter 118 of the Statutes of 2005; Chapter 704
21 of the Statutes of 2006; and Chapter 526 of the Statutes of 2007).

22 (50) Pupil Expulsions II, Pupil Suspensions II, and Educational
23 Services Plan for Expelled Pupils (96-358-03, 03A, 98-TC-22,
24 01-TC-18, 98-TC-23, 97-TC-09; Chapters 972 and 974 of the
25 Statutes of 1995; Chapters 915, 937, and 1052 of the Statutes of
26 1996; Chapter 637 of the Statutes of 1997; Chapter 498 of the
27 Statutes of 1998; Chapter 332 of the Statutes of 1999; Chapter 147
28 of the Statutes of 2000; and Chapter 116 of the Statutes of 2001).

29 (f) Notwithstanding Section 10231.5, on or before November
30 1 of each fiscal year, the Superintendent of Public Instruction shall
31 produce a report that indicates the total amount of block grant
32 funding each school district, county office of education, and charter
33 school received in that fiscal year pursuant to this section. The
34 Superintendent of Public Instruction shall provide this report to
35 the appropriate fiscal and policy committees of the Legislature,
36 the Controller, the Department of Finance, and the Legislative
37 Analyst's Office.

38 (g) This section shall become operative on July 1, 2018.

1 SEC. 20. It is the intent of the Legislature to provide adequate
2 resources to train evaluators, continue robust beginning teacher
3 induction programs, and support struggling educators.

4 SEC. 21. If the Commission on State Mandates determines
5 that this act contains costs mandated by the state, reimbursement
6 to local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.

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