

AMENDED IN SENATE JULY 7, 1996
AMENDED IN ASSEMBLY MAY 23, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 3482

~~Introduced by Committee on Budget (Miller (Chairman),
Alby, Baugh, Cunneen, Harvey, Hawkins, Kaloogian,
Knowles, Kuykendall, Morrow, Olberg, and Richter)~~
Assembly Member Davis
(Principal coauthor: Senator Johnston)

April 10, 1996

~~An act relating to public social services, and declaring the
urgency thereof, to take effect immediately. An act to add
Chapter 3.45 (commencing with Section 44755) to Part 25 of,
to add Chapter 15 (commencing with Section 53000) to Part
28 of, and to add Article 6 (commencing with Section 60350)
to Chapter 2 of Part 33 of, the Education Code, relating to
education, making an appropriation therefor, and declaring
the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 3482, as amended, ~~Assembly Committee on Budget
Davis. State Department of Social Services Education:
Teacher Reading Instruction Development Program:
Comprehensive Reading Leadership Program: Core Reading
Program Instructional Materials.~~

~~Existing law provides for the implementation of various public assistance programs by the State Department of Social Services.~~

~~This bill would state the intent of the Legislature to make the necessary statutory changes to implement the Budget Act of 1996 relative to the State Department of Social Services.~~

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

(1) Existing law authorizes school districts to develop school development plans that include staff development activities directly related to annual school improvement objectives, as specified, and, among other things, to assist personnel to improve instructional practices in each subject and strengthen knowledge of subject matter.

This bill would enact the Teacher Reading Instruction Development Program, which would effectuate legislative intent, expressed in the bill, that each certificated teacher of pupils enrolled in kindergarten and grades 1 to 3, inclusive, possess the knowledge and skills to effectively teach pupils to read. Under the Teacher Reading Instruction Development Program, a school district, in order to be eligible for funds under the program, would be required to certify to the State Department of Education that not less than 90% of its certificated employees who provide direct instructional services to pupils enrolled in kindergarten or any of grades 1 to 3, inclusive, have received inservice training in reading instruction that addresses specified issues.

This bill would also enact the Comprehensive Reading Leadership Program, which would effectuate legislative intent, expressed in the bill, with regard to the encouragement of members of governing boards of school districts, school administrators, and teachers identified by the governing board of the school district as having demonstrated leadership in reading instruction to implement a comprehensive reading program for kindergarten and grades 1 to 3, inclusive, that emphasizes basic reading skills and continued improvement of reading skills, as specified. Under the Comprehensive Reading Leadership Program, county offices of education would be authorized to apply to the State Board of Education with regard to proposed local reading



leadership programs. From the applications received pursuant to this provision, the State Board of Education would designate a county office of education that has proposed a leadership program that, in the judgment of the board and in accordance with specified criteria, provide an effective leadership training program, as specified. Designated county offices of education would be eligible for funding under the bill for their reading leadership programs.

This bill would also enact a program relating to core reading program instructional materials, which would effectuate legislative intent that each pupil in kindergarten and grades 1 to 3, inclusive, be furnished with a complete set of core reading program instructional materials adopted by the State Board of Education in 1996. The bill would authorize school districts to apply to the State Board of Education for funding for the purchase of a complete set of core reading program instructional materials, in accordance with specified criteria.

(2) Section 8 of Article XVI of the California Constitution requires that the moneys applied by the state for the support of school districts and community colleges shall not be less than a specified percentage of General Fund revenues.

This bill would appropriate \$152,000,000 from the General Fund to the State Department of Education, without regard to fiscal years, for the purpose of allocating funds to school districts for the purchase of core reading instructional materials. The bill would appropriate \$13,000,000 from the General Fund to the State Department of Education, without regard to fiscal years, for the purposes of allocating funds to school districts for the provision of inservice training pursuant to the Teacher Reading Instruction Development Program. The bill would appropriate \$2,000,000 from the General Fund to the State Board of Education, without regard to fiscal years, for allocation to county offices of education and school districts pursuant to the Comprehensive Reading Leadership Program.

This bill would specify that, for the purpose of making the computations required by Section 8 of Article XVI of the California Constitution, the funds appropriated by the bill would be deemed to be "General Fund revenues appropriated to school districts," as defined, and included with the "total



allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined, for the 1995-96 fiscal year.

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

Vote: 2/3. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

1 ~~SECTION 1. It is the intent of the Legislature in~~
2 ~~enacting this act to make the necessary statutory changes~~
3 ~~to implement the Budget Act of 1996 relative to the State~~
4 ~~Department of Social Services.~~

5 ~~This act is an urgency statute necessary for the~~
6 ~~immediate preservation of the public peace, health, or~~
7 ~~safety within the meaning of Article IV of the~~
8 ~~Constitution and shall go into immediate effect. The facts~~
9 ~~constituting the necessity are:~~

10 ~~In order to implement the Budget Act of 1996, as soon~~
11 ~~as possible, it is necessary that this act take effect~~
12 ~~immediately.~~

13 *SECTION 1. Chapter 3.45 (commencing with*
14 *Section 44755) is added to Part 25 of the Education Code,*
15 *to read:*

16
17 *CHAPTER 3.45. TEACHER READING INSTRUCTION*
18 *DEVELOPMENT PROGRAM*
19

20 *44755. (a) It is the intent of the Legislature that each*
21 *certificated teacher of pupils enrolled in kindergarten*
22 *and grades 1 to 3, inclusive, possess the knowledge and*
23 *skills to effectively teach pupils to read.*

24 *(b) The State Department of Education shall allocate*
25 *the amounts appropriated pursuant to this chapter to*
26 *each school district on the basis of an equal amount per*
27 *pupil in enrollment statewide in kindergarten and grades*
28 *1 to 3, inclusive, as of October 1996.*



1 (c) For the purpose of this chapter the term 'school
2 district' means school districts and county offices of
3 education.

4 44756. To be eligible for funds pursuant to this
5 chapter, a school district shall certify to the State
6 Department of Education that not less than 90 percent of
7 its certificated employees who provide direct
8 instructional services to pupils enrolled in kindergarten
9 or any of grades 1 to 3, inclusive, have received the type
10 of inservice training described in subdivision (b) of
11 Section 44757 and that the provision of that inservice
12 training did not cause a reduction in pupil instruction
13 time.

14 44757. A school district shall certify to the State
15 Department of Education all of the following, as a
16 condition to receiving funding pursuant to this chapter:

17 (a) That funds received pursuant to this chapter shall
18 be spent by school districts only for the purpose of
19 providing inservice training in reading instruction in the
20 1996-97 school year to certificated employees who
21 provide direct instructional services to pupils enrolled in
22 kindergarten or any of grades 1 to 3, inclusive, and to
23 schoolsite administrators.

24 (b) That funds received pursuant to this chapter shall
25 be expended for inservice training programs in reading
26 instruction that address systematically explicit phonics
27 instruction, phonemic awareness, sound-symbol
28 relationship, decoding, word-attack skills, spelling
29 instruction, diagnosis of reading deficiencies, research on
30 how children learn to read, research on how proficient
31 readers read, the structure of the English language,
32 relationships between reading, writing, and spelling,
33 planning and delivery of appropriate reading instruction
34 based on assessment and evaluation, and independent
35 pupil reading of high quality books and the relationship
36 of that reading to improved reading performance.

37 (c) That the school district will develop an action
38 agenda that provides for a program of inservice training
39 in reading instruction for all certificated employees in the
40 school district who provide direct instructional services to



1 *pupils in kindergarten, or grades 1 to 3, inclusive. In that*
 2 *action agenda, the school district shall, to the extent*
 3 *feasible and appropriate, use:*

4 (1) *Staff development days authorized pursuant to*
 5 *Section 44670.2.*

6 (2) *Staff development funds available from all state*
 7 *and federal funding sources.*

8 (3) *Inservice training provided by publishers of*
 9 *reading program instructional materials adopted by the*
 10 *State Board of Education in 1996.*

11 (4) *A clinical diagnostic teacher training approach.*

12 (5) *Involvement of the parents and guardians of pupils*
 13 *enrolled in the school district.*

14 (d) *That inservice training provided pursuant to this*
 15 *section shall be coordinated and integrated with any*
 16 *inservice training in reading instruction funded by*
 17 *amounts received pursuant to the federal Goals 2000:*
 18 *Education America Act (P.L. 103-227) for the 1995-96*
 19 *fiscal year.*

20 *SEC. 2. Chapter 15 (commencing with Section 53000)*
 21 *is added to Part 28 of the Education Code, to read:*

22

23 *CHAPTER 15. COMPREHENSIVE READING LEADERSHIP*
 24 *PROGRAM*

25

26 *53000. This chapter shall be known and may be cited*
 27 *as the Comprehensive Reading Leadership Program Act*
 28 *of 1996.*

29 *53001. The Legislature hereby finds and declares that*
 30 *strong leadership is needed at the local level to improve*
 31 *reading instruction in kindergarten and grades 1 to 3,*
 32 *inclusive, of the public schools. Therefore, it is the intent*
 33 *of the Legislature in enacting this chapter to encourage*
 34 *members of governing boards of school districts, school*
 35 *administrators, and teachers identified by the governing*
 36 *board of the school district as having demonstrated*
 37 *leadership in reading instruction to implement a*
 38 *comprehensive reading program for kindergarten and*
 39 *grades 1 to 3, inclusive, that emphasizes basic reading*



1 *skills and continued improvement of reading skills*
2 *through the reading of high quality books.*

3 *53002. (a) County offices of education may apply to*
4 *the State Board of Education to design a reading*
5 *leadership program and develop materials that focus on*
6 *systematically explicit phonics instruction, phonemic*
7 *awareness, sound-symbol relationships, decoding,*
8 *word-attack skills, spelling instruction, diagnosis of*
9 *reading deficiencies, research on how children learn to*
10 *read, research on how proficient readers read, the*
11 *structure of the English language, relationships between*
12 *reading, writing, and spelling, planning and delivery of*
13 *appropriate reading instruction based on assessment and*
14 *evaluation, and independent pupil reading of high*
15 *quality books and the relationship of that reading to*
16 *improved reading performance.*

17 *(b) From the applications received pursuant to this*
18 *section, the State Board of Education shall select one*
19 *county office of education that has a proposed reading*
20 *leadership program and a proposed materials*
21 *development program that, in the judgment of the State*
22 *Board of Education, will provide an effective reading*
23 *leadership training program addressing the elements*
24 *listed in subdivision (a) of this section and meet the*
25 *requirements of subdivision (a) of Section 53003. The*
26 *State Board of Education is hereby authorized to allocate*
27 *from moneys appropriated to it an amount sufficient to*
28 *fund the reading leadership program selected pursuant*
29 *to this section.*

30 *53003. From the applications received pursuant to*
31 *this chapter, the State Board of Education shall select*
32 *county offices of education and school districts on a*
33 *statewide basis to conduct reading leadership training*
34 *programs pursuant to the program developed pursuant*
35 *to Section 53002. The State Board of Education shall select*
36 *an applicant in accordance with the following criteria:*

37 *(a) The selected applicants shall have the*
38 *qualifications necessary to deliver a high quality reading*
39 *leadership training program.*



1 (b) *The selected applicants shall represent all areas of*
2 *the state so that each geographical area of the state has*
3 *reasonable access to a reading leadership training*
4 *program.*

5 53004. *From the amount appropriated for the*
6 *purposes of this chapter, the State Board of Education*
7 *shall determine the amount of funds to allocate to each*
8 *school district and county office of education selected*
9 *pursuant to Section 53003 to provide reading leadership*
10 *training programs according to criteria established by the*
11 *State Board of Education that is based on the actual cost*
12 *of providing the leadership program.*

13 53005. *The State Board of Education shall designate*
14 *the school districts and county offices of education that*
15 *will be served by each of the reading leadership training*
16 *program providers selected pursuant to Section 53003.*

17 53006. *The county offices of education and school*
18 *districts selected pursuant to Section 53003 shall conduct*
19 *reading leadership training programs in accordance with*
20 *the following:*

21 (a) *The members of the governing boards of the*
22 *school districts, administrators of school districts and*
23 *schools, and teachers who have been identified by the*
24 *governing boards of the school districts as having*
25 *demonstrated leadership in reading instruction in each*
26 *school district to be served, as determined pursuant to*
27 *Section 53004, shall be invited to participate in the*
28 *reading leadership training program.*

29 (b) *The reading leadership training programs shall*
30 *adhere to the program designs and use the materials*
31 *produced pursuant to Section 53002.*

32 (c) *The reading leadership training programs shall*
33 *address systematically explicit phonics instruction,*
34 *phonemic awareness, sound-symbol relationships,*
35 *decoding, word-attack skills, spelling instruction,*
36 *diagnosis of reading deficiencies, research on how*
37 *children learn to read, research on how proficient readers*
38 *read, the structure of the English language, relationships*
39 *between reading, writing, and spelling, planning and*
40 *delivery of appropriate reading instruction based on*



1 *assessment and evaluation, and independent pupil*
2 *reading of high quality books and the relationship of that*
3 *reading to improved reading performance.*

4 *SEC. 3. Article 6 (commencing with Section 60350) is*
5 *added to Chapter 2 of Part 33 of the Education Code, to*
6 *read:*

7

8 *Article 6. Core Reading Program Instructional*
9 *Materials*

10

11 *60350. It is the intent of the Legislature that each*
12 *pupil in kindergarten and grades 1 to 3, inclusive, be*
13 *furnished with a complete set of core reading program*
14 *instructional materials adopted by the state board in 1996.*

15 *60351. (a) The State Department of Education shall*
16 *apportion funds appropriated for purposes of this article*
17 *to school districts on the basis of an equal amount per*
18 *statewide pupil enrollment in kindergarten and grades 1*
19 *to 3, inclusive.*

20 *(b) For the purposes of this article, the term ‘school*
21 *districts’ means school districts and county offices of*
22 *education and the term ‘governing boards’ means*
23 *governing boards of school districts and county boards of*
24 *education.*

25 *60352. A school district may apply to the state board*
26 *for funding for the purchase of a complete set of core*
27 *reading program instructional materials pursuant to this*
28 *article.*

29 *(a) Except as provided in subdivision (b), each school*
30 *district shall expend funds received pursuant to this*
31 *article for the sole purpose of purchasing core reading*
32 *program instructional materials for pupils enrolled in*
33 *kindergarten and grades 1 to 3, inclusive, that meet the*
34 *following requirements:*

35 *(1) The instructional materials have been adopted by*
36 *the state board in 1996.*

37 *(2) The instructional materials meet the requirements*
38 *of Section 62000.4.*

39 *(3) The instructional materials include, but are not*
40 *necessarily limited to, phonemic awareness, systematic*



1 *explicit phonics, and spelling patterns, accompanied by*
2 *reading material that provides practice in the lesson*
3 *being taught.*

4 *(b) A school district may expend up to 5 percent of the*
5 *amounts received pursuant to this article to acquire*
6 *independent reading books for pupils enrolled in grades*
7 *1 to 4, inclusive, for the purpose of stocking school or*
8 *classroom libraries.*

9 *(c) Each school district that receives funds pursuant to*
10 *this chapter shall purchase the core reading instructional*
11 *materials on or before September 30, 1997, except that the*
12 *state board may extend the last date to purchase materials*
13 *to not later than September 30, 1998, if in a public hearing*
14 *the governing board adopts a resolution requesting that*
15 *extension and stating the reasons therefor. In granting a*
16 *request for an extension pursuant to this subdivision, the*
17 *state board shall prescribe the last date that core reading*
18 *instructional materials may be purchased, but in no event*
19 *shall the state board authorize a date of extension later*
20 *than September 30, 1998. It is the intent of the Legislature*
21 *that the state board authorize extensions to governing*
22 *boards that have demonstrated that they are unable to*
23 *meet the deadline set forth in this subdivision because of*
24 *factors out of their control, including, but not limited to,*
25 *insufficient time to evaluate and field test the state board*
26 *approved materials.*

27 *(d) If the governing board establishes, to the*
28 *satisfaction of the state board, that the state-adopted*
29 *instructional materials do not promote the maximum*
30 *efficiency of pupil learning in the district, the state board*
31 *shall authorize that governing board to use the funds*
32 *received pursuant to this article to purchase instructional*
33 *materials as specified by the state board, in accordance*
34 *with standards and procedures established by the state*
35 *board, and that meet the requirements of Section 60200.4*
36 *and include, but are not necessarily limited to, phonemic*
37 *awareness, systematic explicit phonics, and spelling*
38 *patterns, accompanied by reading material that provides*
39 *practice in the lesson being taught. It is the intent of the*
40 *Legislature that any request made by governing boards*



1 pursuant to this subdivision prior to August 31, 1996, be
2 expedited by the state board.

3 (e) Each governing board shall certify to the State
4 Department of Education that the amounts received
5 pursuant to this chapter have been expended as required
6 by this chapter. The governing board shall certify at a
7 public hearing of the board that each pupil enrolled in
8 kindergarten and grades 1 to 3, inclusive, has been
9 furnished a complete set of core reading program
10 instructional materials that meets the requirements of
11 this section.

12 SEC. 4. (a) The sum of one hundred fifty-two million
13 dollars (\$152,000,000) is hereby appropriated from the
14 General Fund to the State Department of Education,
15 without regard to fiscal years, for the purposes of
16 allocating funds to school districts for the purchase of core
17 reading program instructional materials pursuant to
18 Article 6 (commencing with Section 60350) of Chapter 2
19 of Part 33 of the Education Code.

20 (b) For the purposes of making the computations
21 required by Section 8 of Article XVI of the California
22 Constitution, the appropriation made by subdivision (a)
23 shall be deemed to be 'General Fund revenues
24 appropriated to school districts,' as defined in subdivision
25 (c) of Section 41202 of the Education Code, for the
26 1995-96 fiscal year, and included within the 'total
27 allocations to school districts and community college
28 districts from General Fund proceeds of taxes
29 appropriated pursuant to Article XIII B,' as defined in
30 subdivision (e) of Section 41202 of the Education Code,
31 for the 1995-96 fiscal year.

32 SEC. 5. (a) The sum of thirteen million dollars
33 (\$13,000,000) is hereby appropriated from the General
34 Fund to the State Department of Education, without
35 regard to fiscal years, for the purposes of allocating funds
36 to school districts for the provision of inservice training on
37 reading instruction knowledge and skills to teachers
38 pursuant to Chapter 3.45 (commencing with Section
39 44755) of Part 25 of the Education Code.



1 (b) For the purposes of making the computations
2 required by Section 8 of Article XVI of the California
3 Constitution, the appropriation made by subdivision (a)
4 shall be deemed to be 'General Fund revenues
5 appropriated to school districts,' as defined in subdivision
6 (c) of Section 41202 of the Education Code, for the
7 1995–96 fiscal year, and included within the 'total
8 allocations to school districts and community college
9 districts from General Fund proceeds of taxes
10 appropriated pursuant to Article XIII B,' as defined in
11 subdivision (e) of Section 41202 of the Education Code,
12 for the 1995–96 fiscal year.

13 SEC. 6. (a) The sum of two million dollars
14 (\$2,000,000) is hereby appropriated from the General
15 Fund to the State Board of Education, without regard to
16 fiscal years, for allocation to county offices of education
17 and school districts for reading leadership training
18 programs pursuant to Chapter 15 (commencing with
19 Section 53000) of Part 28 of the Education Code.

20 (b) For the purposes of making the computations
21 required by Section 8 of Article XVI of the California
22 Constitution, the appropriation made by subdivision (a)
23 shall be deemed to be 'General Fund revenues
24 appropriated to school districts,' as defined in subdivision
25 (c) of Section 41202 of the Education Code, for the
26 1995–96 fiscal year, and included within the 'total
27 allocations to school districts and community college
28 districts from General Fund proceeds of taxes
29 appropriated pursuant to Article XIII B,' as defined in
30 subdivision (e) of Section 41202 of the Education Code,
31 for the 1995–96 fiscal year.

32 SEC. 7. This act is an urgency statute necessary for the
33 immediate preservation of the public peace, health, or
34 safety within the meaning of Article IV of the
35 Constitution and shall go into immediate effect. The facts
36 constituting the necessity are:



1 *In order to make statutory changes necessary for the*
2 *implementation of the Budget Act of 1996, it is necessary*
3 *for this act to take effect immediately.*

O

