

AMENDED IN ASSEMBLY APRIL 3, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 640

Introduced by Assembly Member Aguiar

February 25, 1997

An act to amend Sections 1900, 1901, 1902, 1905, 1906, 1908, and 1909 of, to amend, repeal, and add Section 41002 of, and to add Section 46101 to, the Education Code, and to add and repeal Article 18.9 (commencing with Section 749.5) ~~to~~ of Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to juveniles, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 640, as amended, Aguiar. *High school academies: Juvenile Crime Reduction and Education Academy Pilot Project.*

Existing

(1) Existing law authorizes county superintendents of schools, with the approval of the county board of education and board of supervisors, to establish and maintain classes or schools for prisoners in any county jail, county honor farm, or any county industrial farm or county or joint county road camp. Existing law provides for the issuance of diplomas or certificates by, and the provision of funding for, these classes or schools.

This bill would authorize county superintendents of schools, with the approval of the county board of education and board

of supervisors, to establish and maintain classes or schools for prisoners in any high school academy. The bill would define a high school academy to mean a school, not located within a correctional facility, that is established to service at-risk pupils. The bill would authorize the issuance of diplomas or certificates by high school academies and would provide for the funding of high school academies, as specified.

(2) Existing law sets forth the powers and duties of the Board of Corrections, the Department of the Youth Authority, the juvenile courts, and local law enforcement authorities, including county sheriffs and probation officers.

This bill would authorize the San Bernardino County Sheriff's Department, in conjunction with certain city and county officers and agencies, and other interested organizations, to conduct a pilot project to be known as the Juvenile Crime Reduction and Education Academy Pilot Project, for the purpose of reducing juvenile delinquency, as described. This bill would appropriate ~~\$150,000~~ \$145,000 from the General Fund to the Board of Corrections for allocation to the San Bernardino County Sheriff's Department for the development and implementation of the pilot project, ~~and~~ would require the San Bernardino County Sheriff's Department and the described partner agencies and organizations to provide matching funds equal to 50% of the amount appropriated by the state for that purpose, *and would authorize the deposit of these funds into the general fund of a school district participating in the pilot project.*

This bill would make ~~its~~ *these* provisions inoperative on July 1, 1999, and would provide for their repeal on January 1, 2000.

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

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

1 SECTION 1. *Section 1900 of the Education Code is*
 2 *amended to read:*

3 1900. (a) The county superintendent of schools, with
 4 the approval of the county board of education and the
 5 board of supervisors, shall have power to establish and
 6 maintain classes or schools for prisoners in any county jail,



1 county honor farm, *high school academy*, or any county
2 industrial farm or county or joint county road camp, for
3 the purpose of providing instruction in civic, vocational,
4 literacy, health, homemaking, technical, and general
5 education.

6 (b) *For the purposes of this article:*

7 (1) *“High school academy” means a school, not*
8 *located within a correctional facility, that is established to*
9 *service at-risk pupils.*

10 (2) *Pupils shall be referred to a high school academy*
11 *by a panel composed of a school administrator, a*
12 *probation officer, a law enforcement officer, and an*
13 *officer or employee of the department of social services*
14 *of the city or county in which the high school academy is*
15 *located. No pupil shall be referred to a high school*
16 *academy without his or her consent to participate in the*
17 *program.*

18 *SEC. 2. Section 1901 of the Education Code is*
19 *amended to read:*

20 1901. The county board of education shall have the
21 authority to award diplomas or certificates to prisoners
22 enrolled in classes or schools in any county jail, county
23 honor farm, *high school academy*, or any county
24 industrial farm or county or joint county road camp upon
25 successful completion of a prescribed course of study.

26 *SEC. 3. Section 1902 of the Education Code is*
27 *amended to read:*

28 1902. The county board of education may provide for
29 the maintenance on Saturday of classes for prisoners in
30 any county jail, county honor farm, *high school academy*,
31 or any county industrial farm or county or joint county
32 road camp.

33 *SEC. 4. Section 1905 of the Education Code is*
34 *amended to read:*

35 1905. The sheriff or other official in charge of county
36 correctional facilities may, subject to the approval of the
37 board of supervisors, provide for the rehabilitation of
38 prisoners confined in the county jail, county honor farm,
39 *high school academy*, or any county industrial farm or
40 county or joint county road camp. ~~Such~~ *This*



1 rehabilitation shall emphasize education and vocational
2 training.

3 *SEC. 5. Section 1906 of the Education Code is*
4 *amended to read:*

5 1906. The board of supervisors may, by ordinance,
6 direct the county superintendent of schools to establish
7 and maintain classes or schools for prisoners in any county
8 jail, county honor farm, *high school academy*, or any
9 county industrial farm or county or joint county road
10 camp established by the county. The county board of
11 education shall have the same powers and duties with
12 respect to ~~such~~ *these* schools, including the establishment
13 of the budget deemed necessary for the operation of the
14 school programs, as the governing board of a school
15 district would have were ~~such~~ *these* schools maintained
16 by a school district.

17 *SEC. 6. Section 1908 of the Education Code is*
18 *amended to read:*

19 1908. (a) The board of supervisors of the county shall
20 transfer from the general fund of the county to the county
21 school service fund of the county superintendent of
22 schools ~~such~~ sums, in excess of the amount of money
23 received from the state by the county superintendent of
24 schools, ~~as~~ *that* the county board of education has deemed
25 necessary to maintain the school programs in the county
26 jail, county honor farm, *high school academy*, or county
27 industrial farm or county or joint county road camps as
28 described in Section 1906.

29 (b) The board of supervisors, in lieu of proceeding
30 under subdivision (a), shall agree with the governing
31 board of the school district providing classes or schools for
32 prisoners, to transfer from the general fund of the county
33 to the general fund of the district ~~such~~ sums, in excess of
34 the amount of money received on the basis of average
35 daily attendance in ~~such~~ *these* programs, ~~as is~~ *that are*
36 necessary to maintain its school programs in the county
37 jail, county honor farm, or county industrial farm or
38 county or joint county road camps as described in Section
39 1907.



1 SEC. 7. Section 1909 of the Education Code is
2 amended to read:

3 1909. (a) From funds appropriated for allocation
4 pursuant to Sections 2558 and 41841.5, for each county
5 superintendent of schools who maintained schools or
6 classes for adults in correctional facilities in the 1981–82
7 fiscal year pursuant to Section 1906, and who continues to
8 maintain those schools or classes in each fiscal year
9 thereafter, the Superintendent of Public Instruction shall
10 allow in the 1982–83 fiscal year and each fiscal year
11 thereafter, an amount equal to the actual current
12 expenses of the program, but not to exceed an amount
13 determined as follows:

14 (1) Compute the prior year statewide average
15 revenue limit per unit of average daily attendance for
16 adults, increased by the amount specified in Section
17 52616.16 for the current fiscal year.

18 (2) Multiply the amount computed in paragraph (1)
19 by the average daily attendance of the schools or classes
20 in the current fiscal year.

21 (3) Multiply the product determined in paragraph (2)
22 for each fiscal year by 0.8.

23 (b) Notwithstanding subdivision (a), for the 1993–94
24 and 1994–95 fiscal years, in no event shall the amount
25 allowed to a county superintendent of schools for each
26 unit of average daily attendance pursuant to that
27 subdivision exceed the statewide average revenue limit
28 at which adults in correctional facilities were funded in
29 the 1992–93 fiscal year, as adjusted by any cost-of-living
30 adjustment pursuant to Section 42238.1.

31 (c) For purposes of this section, the average daily
32 attendance for high school academy programs shall be
33 computed in the manner set forth in Section 46200.

34 SEC. 8. Section 41002 of the Education Code is
35 amended to read:

36 41002. (a) All moneys received by any school district
37 or paid into the county or city and county treasury to the
38 credit of the district from state apportionments, county,
39 district, or municipal taxes, or from the allocation of funds
40 appropriated to the Board of Corrections pursuant to



1 Section 12 of Assembly Bill 640 of the 1997–98 Regular
 2 Session, other than moneys required to be placed in a
 3 separate fund of the school district, shall be deposited in
 4 the general fund of the district, which ~~fund~~ shall be in
 5 existence in each county and city and county treasury.

6 ~~Nothing~~

7 (b) Nothing in this section shall be construed as
 8 discontinuing, nor as affecting the disposition of moneys
 9 in, any of the separate funds of the school districts legally
 10 created or established in law.

11 (c) This section shall become inoperative on July 1,
 12 1999, and as of January 1, 2000, is repealed, unless a later
 13 enacted statute, that becomes operative on or before
 14 January 1, 2000, deletes or extends the dates on which it
 15 becomes inoperative and is repealed.

16 SEC. 9. Section 41002 is added to the Education Code,
 17 to read:

18 41002. (a) All moneys received by any school district
 19 or paid into the county or city and county treasury to the
 20 credit of the district from state apportionments, county,
 21 district, or municipal taxes, other than moneys required
 22 to be placed in a separate fund of the school district, shall
 23 be deposited in the general fund of the district, which
 24 shall be in existence in each county and city and county
 25 treasury.

26 (b) Nothing in this section shall be construed as
 27 discontinuing, nor as affecting the disposition of moneys
 28 in, any of the separate funds of the school district legally
 29 created or established in law.

30 (c) This section shall become operative on July 1, 1999.

31 SEC. 10. Section 46101 is added to the Education
 32 Code, to read:

33 46101. Notwithstanding any other provision of law, a
 34 high school academy, as defined in Section 1900, may
 35 operate on the basis of an extended instructional day of
 36 up to 11 hours in duration, provided that at least two
 37 meals are made available to each pupil during that
 38 extended instructional day.



1 SEC. 11. Article 18.9 (commencing with Section
2 749.5) is added to Chapter 2 of Part 1 of Division 2 of the
3 Welfare and Institutions Code, to read:

4

5 Article 18.9. Juvenile Crime Reduction and Education
6 Academy Pilot Project

7

8 749.5. The San Bernardino County Sheriff's
9 Department, in conjunction with the agencies and
10 organizations described in Section 749.52, may conduct,
11 in accordance with this article, a pilot project to be known
12 as the Juvenile Crime Reduction and Education Academy
13 Pilot Project, for the purpose of reducing juvenile
14 delinquency.

15 749.51. The pilot project developed by the San
16 Bernardino County Sheriff shall establish a program to
17 provide a continuum of responses to juvenile crime and
18 delinquency. The program shall be designed to
19 demonstrate the effects of a collaborative and integrated
20 approach to the apprehension, treatment, rehabilitation,
21 education, punishment, and incarceration of juvenile
22 offenders in a community-based program. The
23 identification of potential offenders based on school
24 performance and contacts with law enforcement shall be
25 an integral component of the program.

26 749.52. In developing and implementing the pilot
27 project, the San Bernardino County Sheriff's Department
28 shall seek the cooperation and involvement of all of the
29 following county and local officers, agencies, and
30 organizations:

- 31 (a) The superintendent of schools.
- 32 (b) The chief probation officer.
- 33 (c) The district attorney.
- 34 (d) Local chiefs of police.
- 35 (e) The juvenile court.
- 36 (f) Representatives of local social service, health, and
37 mental health agencies.
- 38 (g) Representatives from local schools.
- 39 (h) Interested community organizations.



1 749.53. Before implementing the pilot project, the
 2 San Bernardino County Sheriff's Department shall
 3 develop goals and performance measures to measure the
 4 effectiveness of the program. These measures shall
 5 include, but not be limited to, rates of recidivism, change
 6 in the number of first-time juvenile offenders being
 7 apprehended, and the number and percentage of
 8 juveniles who successfully complete the program or
 9 probation.

10 749.54. San Bernardino County and the partner
 11 agencies and organizations described in Section 749.52
 12 shall provide matching funds equal to 50 percent of the
 13 amount appropriated by the state to the Board of
 14 Corrections and allocated for development and
 15 implementation of the pilot project.

16 749.55. (a) The San Bernardino County Sheriff shall
 17 submit a report to the Legislature regarding the
 18 effectiveness of the pilot project on or before January 1,
 19 1999.

20 (b) This article shall become inoperative on July 1,
 21 1999, and, as of January 1, 2000, is repealed, unless a later
 22 enacted statute, that becomes operative on or before
 23 January 1, 2000, deletes or extends the dates on which it
 24 becomes inoperative and is repealed.

25 ~~SEC. 2.~~

26 ~~SEC. 12.~~ The sum of one hundred ~~and fifty thousand~~
 27 ~~dollars (\$150,000)~~ *forty-five thousand dollars (\$145,000)*
 28 is hereby appropriated from the General Fund to the
 29 Board of Corrections for allocation to the San Bernardino
 30 County Sheriff's Department for the development and
 31 implementation of the pilot project described in Article
 32 18.9 (commencing with Section 749.5) of Chapter 2 of
 33 Part 1 of Division 2 of the Welfare and Institutions Code.

