

AMENDED IN SENATE AUGUST 27, 1998
AMENDED IN SENATE AUGUST 26, 1998
AMENDED IN SENATE AUGUST 12, 1998
AMENDED IN SENATE JULY 7, 1998
AMENDED IN SENATE JUNE 24, 1998
AMENDED IN SENATE JUNE 17, 1998
AMENDED IN ASSEMBLY MAY 27, 1998
AMENDED IN ASSEMBLY MAY 22, 1998
AMENDED IN ASSEMBLY MARCH 31, 1998
AMENDED IN ASSEMBLY MARCH 12, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 1746

**Introduced by Assembly Members Escutia and Havice
(Coauthor: Assembly Member Morrissey)**

February 3, 1998

An act relating to class size reduction, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1746, as amended, Escutia. Class size reduction.

Existing law establishes the Class Size Reduction Program to provide funding to school districts to reduce class size in

kindergarten and grades 1 to 3, inclusive, to not more than 20 pupils per certificated teacher.

This bill would make an appropriation by providing that any unexpended and unencumbered funds appropriated for the purposes of class size reduction in the 1996–97 and 1997–98 fiscal years be made available on a one-time basis to assist school districts that meet certain requirements implement class size reduction, in an amount of \$40,000 per class, as described. To the extent the funds appropriated by this bill are allocated to a school district, as defined by existing law for purposes of Section 8 of Article XVI of the California Constitution, those funds may be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. (a) Any unexpended and
2 unencumbered funds appropriated for the purposes of
3 Chapter 6.1 (commencing with Section 52120) of Part 28
4 of the Education Code, Chapter 19 (commencing with
5 Section 17200) of Part 10 of the Education Code, and
6 Chapter 23 (commencing with Section 17770) of Part 10
7 of the Education Code, as that chapter read prior to June
8 30, 1999, for the 1996–97 and 1997–98 fiscal years shall be
9 made available, on a one-time basis, to assist eligible
10 school districts, ~~as described in subdivision (e)~~. The total
11 amount of available funds shall be equally divided
12 between the priorities described in paragraphs (1) and
13 (2), as follows:

14 (1) To assist eligible school districts in implementing
15 approved comprehensive plans to mitigate the facilities
16 impact of class size reduction, as described in Section
17 52122.7, for the 1997–98 school year. Each school district
18 that elects to apply for funding under this subdivision
19 shall certify that all funds received will meet the
20 conditions of the plan or an amended plan approved by



1 the State Board of Education that meets the criteria of
2 Section 52122.7. Funds approved pursuant to this
3 paragraph shall be used solely for the purposes of facilities
4 related costs associated with implementation of the Class
5 Size Reduction Program at schools with pupil density of
6 at least 200 pupils per acre, as described in Section
7 52122.6.

8 (2) To assist school districts that have fulfilled both of
9 the following criteria:

10 (A) Fully implemented three grade levels of class size
11 reduction in the 1996–97 fiscal year.

12 (B) Expanded the Class Size Reduction Program in
13 the 1997–98 fiscal year.

14 (b) A school district that meets ~~either~~ of the
15 requirements described in *paragraph (2) of* subdivision
16 (a) shall be eligible to receive forty thousand dollars
17 (\$40,000) for each class established for the purpose of
18 expanding the Class Size Reduction Program in the
19 1997–98 fiscal year, beyond the number of new classes
20 established in the 1996–97 fiscal year and for classes not
21 previously funded.

22 (c) Each school district that elects to apply for funding
23 under ~~this section~~ *paragraph (2) of subdivision (a)* shall
24 submit an application, on forms and in a manner
25 prescribed by the Superintendent of Public Instruction,
26 to the Superintendent of Public Instruction. The
27 application shall include the school district's certification
28 of each of the following items as a condition of
29 apportionment:

30 (1) Certification of the number of new Option One
31 classes established by the school district pursuant to the
32 Class Size Reduction Program solely for the purpose of
33 reducing class size in kindergarten and grades 1 to 3,
34 inclusive, in the 1996–97 fiscal year.

35 (2) Certification that the school district fully
36 implemented the Class Size Reduction Program in the
37 1996–97 fiscal year.

38 (3) Certification of the number of new Option One
39 classes established by the school district pursuant to the
40 Class Size Reduction Program solely for the purpose of



1 reducing class size in kindergarten and grades 1 to 3,
2 inclusive, in the 1997–98 fiscal year.

3 (4) Certification that, for the grades in which classes
4 were reduced, the district meets eligibility requirements
5 pursuant to subdivision (b) of Section 52122.1.

6 (d) Funds allocated to school districts pursuant to this
7 section shall be expended solely for the purpose of
8 facilities-related costs associated with the
9 implementation of the Class Size Reduction Program.

10 (e) Funds may not be allocated to school districts
11 pursuant to this section for the purpose of assisting school
12 districts in implementing Option Two, as described in
13 paragraph (2) of subdivision (b) of Section 52122.

14 (f) If available funds are insufficient to fund all
15 applicant school districts pursuant to this section, a
16 prorated reduction shall be applied to the amount
17 described in subdivision (b) for each class.

18 (g) If funds remain available after funding all eligible
19 applications pursuant to this section, the Superintendent
20 of Public Instruction shall apportion the remaining
21 funding in increments of forty thousand dollars (\$40,000)
22 to eligible school districts for each new Option One class
23 established in the 1997–98 school year for which the
24 district had not previously received funding pursuant to
25 Section 52122.1.

26 (h) It is the intent of the Legislature that, for each new
27 teaching station a school district establishes for the
28 purpose of class size reduction for which the school
29 district did not receive a facilities grant under this section
30 or any previous appropriation for this purpose, the school
31 district shall be eligible for facilities funding from any
32 state general obligation bond measure approved for that
33 purpose.

