

AMENDED IN ASSEMBLY SEPTEMBER 8, 1997

AMENDED IN ASSEMBLY JULY 2, 1997

AMENDED IN SENATE MAY 23, 1997

**SENATE BILL**

**No. 1163**

---

---

**Introduced by Senator Greene**  
(Coauthor: Assembly Member Ortiz)

February 28, 1997

---

---

An act to add Section 42247.5 to the Education Code, relating to school desegregation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1163, as amended, Greene. School facilities: voluntary desegregation plans.

Existing law requires that, prior to reimbursement for certain costs incurred by school districts for voluntary desegregation, the governing board of a school district submit to the Superintendent of Public Instruction and the Controller a copy of the district's desegregation plan, which the governing board has certified is the latest adopted plan. Existing law sets forth a formula for computing the amount that a school district may be reimbursed for the costs of its voluntary desegregation program that uses the 1984–85 fiscal year as a base year, or for school districts initiating a program after that fiscal year that uses the first full year of operation of the program as the base year.

This bill would specify that the "Administrative Recommendations and Action Plans for Implementing a Voluntary Desegregation Plan in the Sacramento City

Unified School District,” adopted February 29, 1988, and as subsequently amended, is the latest adopted plan for the Sacramento City Unified School District. The bill would also provide that commencing with the 1998–99 fiscal year and each fiscal year thereafter, the amount that the Sacramento City Unified School District may be reimbursed for the costs of its voluntary desegregation program shall not exceed the amount in excess of  $\frac{1}{5}$  of the audited desegregation cost approved by the Controller and actually incurred in the 1990–91 fiscal year, reduced by the federal desegregation reimbursement of \$3,096,989 received in the 1990–91 fiscal year, as adjusted for inflation and changes in enrollment, as specified. The bill would include in the 1990–91 base year expenditures by the school district for its federal magnet program, as specified.

*This bill would declare that it shall not become operative unless and until funding is provided for its purposes in the annual Budget Act.*

This bill would make a legislative finding and declaration of unique circumstances in this regard.

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

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

1 SECTION 1. Section 42247.5 is added to the  
 2 Education Code, to read:  
 3 42247.5. (a) For the purposes of Section 42247.1, the  
 4 “Administrative Recommendations and Action Plans for  
 5 Implementing a Voluntary Desegregation Plan in the  
 6 Sacramento City Unified School District,” adopted  
 7 February 29, 1988, and as subsequently amended, shall be  
 8 the latest adopted desegregation plan for the Sacramento  
 9 City Unified School District.  
 10 (b) Notwithstanding Section 42247, commencing  
 11 with the 1998–99 fiscal year, and each fiscal year  
 12 thereafter, reimbursements for voluntary desegregation  
 13 authorized pursuant to Sections 42243.9, 42247, and 42249  
 14 to the Sacramento City Unified School District shall not  
 15 exceed the amount in excess of one-fifth of the audited



1 desegregation costs approved by the Controller and  
2 actually incurred in the 1990–91 fiscal year, reduced by  
3 the federal desegregation reimbursement of three  
4 million ninety-six thousand nine hundred eighty-nine  
5 dollars (\$3,096,989) received in the 1990–91 fiscal year,  
6 adjusted pursuant to Section 42247.2, provided that the  
7 school district has contributed in the prior fiscal year not  
8 less than one-fifth of the audited costs approved by the  
9 Controller that fiscal year. The audited costs actually  
10 incurred in the 1990–91 fiscal year includes expenditures  
11 for the Sacramento City Unified School District’s federal  
12 magnet program.

13 (c) Nothing in this section shall be construed to permit  
14 the Sacramento City Unified School District to receive  
15 any of the following:

16 (1) Additional reimbursement for the costs of its  
17 voluntary desegregation program for any fiscal year prior  
18 to the 1998–99 fiscal year.

19 (2) More than four-fifths of actual costs of the district’s  
20 voluntary desegregation program approved by the  
21 Controller for any fiscal year.

22 (3) Reimbursement for any voluntary desegregation  
23 program costs for which the district receives federal  
24 funding.

25 SEC. 2. It is the intent of the Legislature in enacting  
26 this act to recognize that the “Administrative  
27 Recommendations and Action Plans for Implementing a  
28 Voluntary Desegregation Plan in the Sacramento City  
29 Unified School District,” adopted February 29, 1988, and  
30 as subsequently amended, is the latest adopted  
31 desegregation plan of the school district, to declare the  
32 intent of the Legislature that any proposed plan of the  
33 school district that was previously used for the purposes  
34 of Section 42247.1 no longer be used for that section, and  
35 to use the 1990–91 fiscal year, as the first full year of  
36 operation of the Sacramento City Unified School District  
37 under that plan, as the base year for the purpose of  
38 computing the amounts that the district may be  
39 reimbursed for the costs of its voluntary desegregation  
40 program.



1 SEC. 3. The Sacramento City Unified School District  
2 is currently operating a voluntary desegregation  
3 program. The costs for the program exceed the state's  
4 funding allowance because existing law holds the district  
5 to a maximum based upon the 1984-85 fiscal year, a year  
6 when the district had only begun to plan its programs. In  
7 contrast, existing law permits school districts  
8 commencing their programs following the 1984-85 fiscal  
9 year to have their reimbursement based upon the first full  
10 year of program operation. In order for the Sacramento  
11 City Unified School District to be reimbursed based upon  
12 the first full year of program operation, it is the intent of  
13 the Legislature in enacting the act to, commencing with  
14 the 1998-99 fiscal year and each fiscal year thereafter, set  
15 the base fiscal year for all state reimbursement  
16 calculations for the district's voluntary desegregation  
17 program at the 1990-91 fiscal year. It is further the intent  
18 of the Legislature that the expenditures for the district's  
19 federal magnet program shall be included in the 1990-91  
20 base fiscal year. It is further the intent of the Legislature  
21 that the costs claimed by the district be subject to an audit  
22 of the expenditures in accordance with the standards and  
23 procedures for audits of voluntary and court-ordered  
24 desegregation programs issued by the Controller.

25 SEC. 4. *Section 1 shall not become operative unless*  
26 *and until funding has been provided through the annual*  
27 *Budget Act.*

28 SEC. 5. The Legislature finds and declares that due to  
29 the unique circumstances set forth in Sections 2 and 3 of  
30 this act regarding the Sacramento City Unified School  
31 District, a general statute cannot be made applicable  
32 within the meaning of Section 16 of Article IV of the  
33 California Constitution.

