

AMENDED IN ASSEMBLY AUGUST 10, 1998

AMENDED IN ASSEMBLY MAY 13, 1998

AMENDED IN ASSEMBLY APRIL 30, 1998

AMENDED IN ASSEMBLY FEBRUARY 13, 1998

AMENDED IN SENATE APRIL 8, 1997

SENATE BILL

No. 1193

**Introduced by ~~Senator Peace~~ *Senators Peace and Schiff*
(Coauthor: *Senator Alpert*)**

(Coauthors: Assembly Members Alquist, Brewer, Cardoza, Davis, Firestone, Havice, Kuykendall, Machado, Margett, Mazzoni, Morrissey, Pacheco, Prenter, Pringle, Runner, Scott, Strom-Martin, Takasugi, Wayne, and Wildman)

February 28, 1997

An act to amend ~~Sections 44579.1 and 44579.5 of, and to amend and repeal Section 44669 of, to repeal Sections 44670.6, 48645.7, 52022, 52854, and 56242 of, and to repeal and add Article 7.5 (commencing with Section 44579) of Chapter 3 of Part 25 of, the Education Code, relating to education finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1193, as amended, Peace. School finance: staff development.

(1) Existing law authorizes a school to include the provision of time during the regular school year to conduct

staff development programs and receive full average daily attendance (ADA) reimbursement. Existing law generally authorizes school districts to offer up to 8 days of staff development during the school year.

Existing law, known as the Staff Development Buy-out Program, declares the intent of the Legislature to increase the number of schooldays in a school year by providing funding to school districts to conduct staff development on days other than instructional days. The Staff Development Buy-out Program requires the Superintendent of Public Instruction to provide each eligible school district with a staff development allowance of \$220 per day, to the extent funds are provided therefor in the Budget Act, for each certificated employee who participates in staff development that meets certain requirements, including being offered on days that are not counted as instructional days.

~~This bill would provide that county offices of education, as well as school districts, could receive ADA for staff development, and would gradually decrease the number of days for which either school agency could receive ADA. The bill would make these provisions inoperative on July 1, 2000, and would repeal them as of January 1, 2001.~~

~~(2) Existing law requires a school district that does not offer 180 days of instruction to pupils to increase the number of instructional days offered. Under existing law, the Superintendent of Public Instruction is required to determine, with regard to schoolsites operating on multitrack, year-round calendars, the equivalent days of instruction provided to pupils.~~

~~This bill would delete the requirement that the Superintendent of Public Instruction make this determination.~~

~~(3) Existing law declares the intent of the Legislature to appropriate \$50,000,000 in the Budget Act of 1997 for the purposes of the Staff Development Buy-Out Program.~~

~~This bill would declare the intent of the Legislature to appropriate an unspecified amount in the Budget Act of 1998 to fund 3 days of staff development in the 1998-99 fiscal year and in subsequent Budget Acts to fund 5 days of staff~~



~~development in the 1999-2000 fiscal year and every fiscal year thereafter.~~

~~(4)~~

This bill would repeal the Staff Development Buy-Out Program and the authority to receive full ADA reimbursement for staff development programs and would instead establish the Instructional Time and Staff Development Reform Program. The bill would enact the Instructional Time and Staff Development Reform Program and would require the State Department of Education to submit draft regulations for the purpose of implementing this program to the State Board of Education for its review, approval, and adoption pursuant to the provisions that generally govern the adoption of administrative regulations.

The bill would require the Superintendent of Public Instruction to provide each eligible school district, charter school, and county office of education with an allowance of \$270 per day, for up to 3 days, for each certificated classroom teacher and \$140 per day, for up to one day, for each classified classroom instructional aide and certificated teaching assistant who participates in staff development on instructional methods and academic content in the core curriculum areas that are provided by the school district, charter school, or county office of education.

(2) This bill would reappropriate the unexpended balance, as of June 30, 1999, of the appropriation that is made for purposes of this act in the Budget Act of 1998 to the Superintendent of Public Instruction for the purpose of providing funding for up to 2 additional staff development days for classified classroom instructional aides and certificated teaching assistants.

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

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

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

1 SECTION 1. ~~Section 44579.1 of the Education Code is~~

2



1 SECTION 1. Article 7.5 (commencing with Section
2 44579) of Chapter 3 of Part 25 of the Education Code is
3 repealed.

4 SEC. 2. Article 7.5 (commencing with Section 44579)
5 is added to Chapter 3 of Part 25 of the Education Code,
6 to read:

7

8 Article 7.5. Instructional Time and Staff Development
9 Reform Program

10

11 44579. This article shall be known as, and may be cited
12 as, the Instructional Time and Staff Development Reform
13 Program.

14 44579.1. (a) There is hereby established the
15 Instructional Time and Staff Development Reform
16 Program. It is the intent of the Legislature that this
17 program enhance staff development opportunities for
18 classroom personnel, but this article shall not be
19 construed to provide the sole source of funding for staff
20 development activities for school personnel or to limit in
21 any way the amount or type of staff development that is
22 provided to school district personnel from other
23 resources.

24 (b) The State Department of Education shall submit
25 draft regulations for the purpose of implementing this
26 article to the State Board of Education for its review and
27 approval. The State Board of Education shall adopt
28 regulations for the purpose of implementing this article
29 pursuant to Chapter 3.5 (commencing with Section
30 11340) of Part 1 of Division 3 of Title 2 of the Government
31 Code.

32 (c) (1) Each fiscal year, the Superintendent of Public
33 Instruction shall provide each eligible school district and
34 county office of education applying for a grant pursuant
35 to this article with a staff development allowance of two
36 hundred seventy dollars (\$270) per day, for up to three
37 days, for each certificated classroom teacher and one
38 hundred forty dollars (\$140) per day for up to one day for
39 each classified classroom instructional aide and
40 certificated teaching assistant who participates in staff



1 *development instructional methods, including teaching*
2 *strategies, classroom management and other training*
3 *designed to improve pupil performance, and academic*
4 *content in the core curriculum areas that are provided by*
5 *the school district or county office of education.*

6 (2) *Each fiscal year, the Superintendent of Public*
7 *Instruction, shall provide each eligible charter school*
8 *applying for a grant pursuant to this article with a staff*
9 *development allowance of two hundred seventy dollars*
10 *(\$270) per day, for up to three days, for each classroom*
11 *teacher and one hundred forty dollars (\$140) per day for*
12 *up to one day for each classroom instructional aide and*
13 *assistant who participates in staff development*
14 *instructional methods, including teaching strategies,*
15 *classroom management and other training designed to*
16 *improve pupil performance, and academic content in the*
17 *core curriculum areas that are provided by the charter*
18 *school.*

19 (d) *To be eligible for a grant pursuant to this article,*
20 *the staff development program provided by the school*
21 *district, charter school, or county office of education shall*
22 *meet all of the following requirements:*

23 (1) *Meet local educational priorities as defined by the*
24 *governing board of the school district, charter school, or*
25 *county board of education.*

26 (2) *Be consistent with regulations defining staff*
27 *development activities eligible to receive funding under*
28 *this section.*

29 (e) *To qualify as a funded participant, each eligible*
30 *participant shall be present for the full staff development*
31 *day, and records of attendance shall be maintained in a*
32 *manner to be prescribed in regulations. Each staff*
33 *development day shall be at least as long as the full-time*
34 *instructional work day for certificated or classified*
35 *instructional employees of the school district. For*
36 *purposes of this section, a single staff development day*
37 *may be conducted over several calendar days.*

38 (f) (l) *Except as provided pursuant to paragraph (2),*
39 *if the staff development day is conducted after*
40 *completion of an instructional day, it may not be held on*



1 a minimum day for which a parent or guardian was
2 notified pursuant to subdivision (c) of Section 48980.

3 (2) For staff working in multitrack, year-round
4 schools, not more than two staff development days may
5 be scheduled for 'off track' teachers at a school with a
6 minimum day scheduled. In this event, teachers at the
7 multitrack, year-round school who are being paid for
8 service on the minimum days are not eligible for that day
9 of funding under this article.

10 (g) Notwithstanding Section 45203, probationary and
11 permanent employees in the classified service may not
12 receive regular pay on days during which staff
13 development is offered pursuant to this article unless they
14 are required to report for duty on those days.

15 (h) A charter school may be eligible to receive funding
16 under this chapter only if the school certifies that it meets
17 the minimum instructional time requirements applicable
18 to school districts.

19 (i) This section shall be operative in any fiscal year
20 only to the extent that funds are provided for its purposes
21 in the annual Budget Act.

22 44579.2. (a) The Superintendent of Public
23 Instruction shall disburse grant funds for this program in
24 the following manner:

25 (1) Beginning in fiscal year 1999-2000, an advance
26 disbursement shall be made following passage of the
27 annual Budget Act. This disbursement shall be provided
28 to all school districts, county offices of education, and
29 charter schools that participated in the Instructional
30 Time and Staff Development Reform Program in the
31 prior fiscal year, and shall be limited to 25 percent of the
32 amount apportioned to each entity in the prior year.

33 (2) Each year a disbursement of grant funding to all
34 applicants shall be made following receipt of applications
35 submitted pursuant to Section 44579.1, adjusted as
36 necessary by the amount disbursed pursuant to
37 paragraph (1). If a school district, county office of
38 education, or charter school that participated in this
39 program in the prior fiscal year fails to submit an
40 application, all funds disbursed to that school district,



1 county office of education, or charter school pursuant to
2 paragraph (1) shall be deducted from that agency's next
3 monthly principal apportionment payment.

4 (3) A final adjustment to the amounts paid pursuant to
5 paragraph (2) shall be made following receipt by the
6 Superintendent of Public Instruction of certification by
7 the superintendent of the school district, the county
8 superintendent of schools, or chief officer of the charter
9 school, as appropriate, of the total number of
10 teacher-days attendance at staff development training
11 that complies with all of the applicable provisions of this
12 article and the regulations adopted by the State Board of
13 Education.

14 (4) If the amount disbursed pursuant to this article to
15 a school district, county office of education, or charter
16 school during any fiscal year differs from the amount to
17 which the district, county office of education, or charter
18 school was entitled pursuant to this article, the
19 Superintendent of Public Instruction shall, at the next
20 monthly apportionment following discovery of the error,
21 withhold from, or add to, the apportionment payment
22 made during that month, the amount of the excess or
23 deficiency, as the case may be.

24 (b) Notwithstanding any other provision of law,
25 excesses withheld or deficiencies added by the
26 Superintendent of Public Instruction under this section
27 shall be added to, or allowed from, any portion of the State
28 School Fund.

29 44579.3. (a) The governing board of a school district
30 may provide additional days of pupil instruction that are
31 in excess of 180 days of instruction per school year instead
32 of the qualifying staff development activities set forth in
33 this article. If a school district chooses to replace any
34 number of staff development days that are funded under
35 this article, with a pupil instruction days, the additional
36 instructional days shall be at least as long as the average
37 length of the instructional day that the district is required
38 to provide in order to qualify for funding pursuant to Part
39 26 (commencing with Section 46000).



1 (b) This section does not apply to a county office of
2 education or a county board of education.

3 44579.4. (a) For the 1998–99 school year, a school
4 district may request the State Board of Education to
5 provide a waiver of instructional time requirements if
6 both of the following conditions are met:

7 (1) The district provides evidence to the board that
8 the waiver is necessary only because the repeal of the
9 authority of school districts to provide staff development
10 during instructional time results in the district being
11 unable to reasonably meet the instructional time
12 requirements.

13 (2) The school district had a school calendar, or a
14 schoolsite plan adopted in accordance with law, either of
15 which was approved by the governing board prior to the
16 operative date of this section, or not more than 30 days
17 after that date, that authorizes the use of instructional
18 days for staff development.

19 (b) A school district that receives a waiver for the
20 1998–99 school year shall ensure that both of the following
21 occur:

22 (1) The combined instructional time and staff
23 development time provided by the district during the
24 1998–99 school year pursuant to the waiver meets or
25 exceeds 180 days or the equivalent number of annual
26 instructional minutes determined pursuant to Article 8
27 (commencing with Section 46200) of Chapter 2 of Part 26.

28 (2) The actual instructional time provided is at least
29 172 days or the equivalent number of annual instructional
30 minutes determined pursuant to Article 8 (commencing
31 with Section 46200) of Chapter 2 of Part 26.

32 (c) The maximum amount of instructional time that
33 may be waived may not exceed the number of days for
34 which the school district had previously approved for staff
35 development days within the school calendar, or in a
36 schoolsite plan adopted in accordance with law.

37 (d) A school district that receives a waiver for the
38 1998–99 school year under this section shall only be
39 eligible to receive staff development funding under this
40 article for each day of staff development offered under



1 *this article that replaces a staff development day*
2 *previously authorized under Sections 44670.6, 48645.7,*
3 *52022, 52854, or 56242 and utilized during the 1997–98*
4 *school year and that was included in a school calendar, or*
5 *schoolsite plan adopted in accordance with law, that was*
6 *approved by the local governing board prior to the*
7 *operative date of this section or not more than 30 days*
8 *after that date. For purposes of this subdivision, a staff*
9 *development day funded pursuant to the Staff*
10 *Development Buy-Out Program in the 1997–98 school*
11 *year shall be funded in the 1998-99 school year with no*
12 *requirement that this day replace an additional staff*
13 *development day that was previously authorized*
14 *pursuant to Sections 44670.6, 48645.7, 52022, 52854, or*
15 *56242.*

16 *SEC. 3. Section 44669 of the Education Code is*
17 *amended to read:*

18 44669. (a) Notwithstanding any other provision of
19 law, for the purposes of implementing a program
20 established pursuant to this article, the State Board of
21 Education may waive any part, article, or section of this
22 code, ~~except Section 51513~~, or any regulation adopted by
23 the State Board of Education that implements this code
24 upon request by a governing board of a school district on
25 a districtwide basis or on behalf of its schools or programs,
26 if the governing board does both of the following:

27 ~~(a) Provide~~

28 (1) Provides written documentation that the
29 exclusive representative of certificated employees
30 concurs with the request. Failure of the exclusive
31 representative of certificated employees to concur in the
32 waiver request shall constitute cause for its denial.

33 ~~(b) Demonstrate~~

34 (2) Demonstrates that the waiver request is necessary
35 to implement the proposed pilot project.

36 (b) Subdivision (a) does not apply to Section 51513 or
37 Part 26 (commencing with Section 46000), other than
38 Section 46206.

39 *SEC. 4. Section 44670.6 of the Education Code is*
40 *repealed.*



1 ~~44670.6. (a) Schools may include as part of their~~
2 ~~school development plan, the provision of time during~~
3 ~~the regular school year to conduct professional~~
4 ~~development activities pursuant to a school development~~
5 ~~plan and shall receive full average daily attendance~~
6 ~~reimbursement under the provisions of Section 46300.~~
7 ~~The time shall not exceed eight days each year.~~

8 ~~(b) It is the intent of the Legislature that school~~
9 ~~districts revise salary schedules to allow for and give~~
10 ~~priority to salary increments related to continuing~~
11 ~~professional development on the basis of time spent in~~
12 ~~high quality professional development, including subject~~
13 ~~matter coursework, pursuant to school development~~
14 ~~plans created under this article, and school improvement~~
15 ~~plans created pursuant to Chapter 6 (commencing with~~
16 ~~Section 52000) of Part 28. The salary schedule revision~~
17 ~~should include incentives for instructional~~
18 ~~paraprofessionals to pursue education and training to~~
19 ~~improve instructional skills and to obtain teaching~~
20 ~~credentials.~~

21 ~~(c) (1) In the event a school district revises its salary~~
22 ~~schedules pursuant to this section, any activity engaged~~
23 ~~in by a teacher for professional development to enable~~
24 ~~the teacher to obtain a salary increment on a revised~~
25 ~~salary schedule shall satisfy both of the following~~
26 ~~conditions:~~

27 ~~(A) The activity shall be approved, in advance, by the~~
28 ~~district superintendent or site administrator.~~

29 ~~(B) The activity shall meet the requirements of~~
30 ~~subdivision (b) of Section 44277.~~

31 ~~(2) Any activity specified in paragraph (1) shall also~~
32 ~~satisfy one of the following:~~

33 ~~(A) The activity shall relate to the current teaching~~
34 ~~assignment of the teacher.~~

35 ~~(B) The activity shall be consistent with the school~~
36 ~~development plan created under this article or school~~
37 ~~improvement plan created pursuant to Chapter 6~~
38 ~~(commencing with Section 52000) of Part 28 for the~~
39 ~~school in which the teacher is currently employed.~~



1 ~~(d) It is the intent of the Legislature that school~~
2 ~~districts revise procedures related to professional growth~~
3 ~~activities required by Section 44277 to ensure that~~
4 ~~activities consistent with school and school district~~
5 ~~development plans created pursuant to this article, and~~
6 ~~school improvement plans created pursuant to Chapter~~
7 ~~6 (commencing with Section 52000) of Part 28 satisfy the~~
8 ~~requirements.~~

9 *SEC. 5. Section 48645.7 of the Education Code is*
10 *repealed.*

11 ~~48645.7. Upon approval of the county board of~~
12 ~~education, juvenile court schools may be authorized two~~
13 ~~in-service days during any calendar year emphasizing~~
14 ~~teacher safety training. The juvenile court school may~~
15 ~~claim the average daily attendance calculated for that~~
16 ~~school for the day preceding the day on which the~~
17 ~~in-service training is held provided, however, that the~~
18 ~~total apportionment for that school shall not be increased.~~

19 ~~Nothing in this section shall be construed to authorize~~
20 ~~full average daily attendance reimbursement for more~~
21 ~~than a total of eight in-service days per school year.~~

22 *SEC. 6. Section 52022 of the Education Code is*
23 *repealed.*

24 ~~52022. Notwithstanding Section 37202 and 41420,~~
25 ~~schools may request, as part of their application to~~
26 ~~develop or implement a school improvement plan, the~~
27 ~~provision of time during the regular school year to advise~~
28 ~~students or conduct staff development programs and~~
29 ~~receive full average daily attendance reimbursement~~
30 ~~under the provisions of Section 46300. Such time shall not~~
31 ~~exceed eight days each year for each participating staff~~
32 ~~member.~~

33 *SEC. 7. Section 52854 of the Education Code is*
34 *repealed.*

35 ~~52854. A school site council may request, as part of its~~
36 ~~school plan, the provision of time during the regular~~
37 ~~school year to advise students or conduct staff~~
38 ~~development programs and receive full average daily~~
39 ~~attendance reimbursement under the provisions of~~



1 ~~Section 46300. That time shall not exceed eight days each~~
2 ~~year for each participating staff member.~~

3 *SEC. 8. Section 56242 of the Education Code is*
4 *repealed.*

5 ~~56242. (a) A district, special education local plan~~
6 ~~area, or county office shall receive its full average daily~~
7 ~~attendance apportionment during the regular school~~
8 ~~year to conduct staff development programs pursuant to~~
9 ~~this article. Except as provided in subdivision (b), the~~
10 ~~time shall not exceed two days each year for each~~
11 ~~participating staff member. However, no district, special~~
12 ~~education local plan area, or county office shall receive~~
13 ~~average daily attendance reimbursement under this~~
14 ~~section if it is reimbursed pursuant to Chapter 1147 of the~~
15 ~~Statutes of 1972, Chapter 3.1 (commencing with Section~~
16 ~~44670) of Part 25, or Chapter 6 (commencing with~~
17 ~~Section 52000) of Part 28.~~

18 ~~(b) Whenever a school operates a school-based~~
19 ~~coordinated program pursuant to Chapter 12~~
20 ~~(commencing with Section 52800) of Part 28 and that~~
21 ~~program includes special education programs and~~
22 ~~services, staff members teaching in special classes and~~
23 ~~centers may receive the same number of staff~~
24 ~~development days as other staff members are receiving~~
25 ~~at that schoolsite.~~

26 *SEC. 9. It is the intent of the Legislature to expand the*
27 *Instructional Time and Staff Development Program*
28 *established in Article 7.5 (commencing with Section*
29 *44579) of Chapter 3 of Part 25 of the Education Code in*
30 *subsequent fiscal years to add additional state-funded*
31 *staff development days as funding becomes available in*
32 *the annual Budget Act.*

33 *SEC. 10. Any unexpended balance, as of June 30, 1999,*
34 *of the appropriation that is made for purposes of this act*
35 *in the Budget Act of 1998 is hereby appropriated to the*
36 *Superintendent of Public Instruction for the purpose of*
37 *providing funding for up to two additional staff*
38 *development days for classified classroom instructional*
39 *aides and certificated teaching assistants, provided that*
40 *the staff development is consistent with Article 7.5*



1 (commencing with Section 44579) of Chapter 3 of Part 25
2 of the Education Code.

3 SEC. 11. This act is an urgency statute necessary for
4 the immediate preservation of the public peace, health,
5 or safety within the meaning of Article IV of the
6 Constitution and shall go into immediate effect. The facts
7 constituting the necessity are:

8 In order to make statutory changes necessary for the
9 implementation of the Budget Act of 1998, it is necessary
10 that this act take effect immediately.

11 amended to read:

12 ~~44579.1. Each fiscal year, the Superintendent of~~
13 ~~Public Instruction shall provide each eligible school~~
14 ~~district or county office of education applying for a grant~~
15 ~~pursuant to this article with a staff development~~
16 ~~allowance of two hundred seventy dollars (\$270) per day~~
17 ~~for each certificated instructional employee and one~~
18 ~~hundred forty dollars (\$140) per day for each classified~~
19 ~~instructional employee of the school district or county~~
20 ~~office of education who participates in staff development~~
21 ~~in academic content and instructional methods in the~~
22 ~~core curricular areas that is provided by the school district~~
23 ~~or county office of education. To be eligible for a grant~~
24 ~~pursuant to this article, the staff development program~~
25 ~~shall meet all of the following requirements:~~

26 ~~(a) Meet local educational priorities.~~

27 ~~(b) Be consistent with regulations developed by the~~
28 ~~Superintendent of Public Instruction pursuant to Section~~
29 ~~44579.3.~~

30 ~~(c) Be offered on days that are not counted as~~
31 ~~instructional time or days for the purposes of Article 8~~
32 ~~(commencing with Section 46200) of Chapter 2 of Part 26.~~

33 ~~(d) Require that each day of staff development be at~~
34 ~~least as long as the day certificated or classified~~
35 ~~instructional employees of the school district or county~~
36 ~~office of education would otherwise be required to work.~~
37 ~~For purposes of this section, a single staff development~~
38 ~~day may be conducted over several calendar days.~~

39 ~~(e) Commencing on July 1, 1998, require that each day~~
40 ~~of staff development, that is held within the 180-day~~



1 instructional period, be conducted only upon entering or
2 exiting a regularly scheduled break, at the beginning of
3 the new academic year, the end of the academic year, or
4 after completion of an instructional day. If the staff
5 development day is conducted after completion of an
6 instructional day, it may not be held on a minimum day
7 specified in subdivision (c) of Section 48980.

8 (f) A school district or county office of education shall
9 receive the same staff development allowance whether
10 an employee participating in the staff development
11 program is a full-time employee or a part-time employee.

12 (g) This section shall be operative in any fiscal year
13 only to the extent that funds are provided for its purposes
14 in the Budget Act. For the 1997-98 fiscal year only, the
15 amount available for this purpose shall not exceed the
16 amount appropriated in Item 6110-112-0001 of Section
17 2.00 of Chapter 282 of the Statutes of 1997.

18 SEC. 2. Section 44579.5 of the Education Code is
19 amended to read:

20 44579.5. Each fiscal year, any school district or county
21 office of education that did not offer 180 days of
22 instruction to pupils, or in the case of schoolsites
23 operating on multitrack, year-round calendars, any
24 schoolsite that did not offer the equivalent of 180 days of
25 instruction to pupils, in the fiscal year prior to the first
26 fiscal year in which grant funds were received by that
27 school district or county office of education pursuant to
28 this article shall increase the number of days of
29 instruction by one day for each noninstructional day on
30 which the school district conducts staff development
31 programs pursuant to this article until a total of 180 days
32 of instruction, or the equivalent, as appropriate, to pupils
33 are being offered by that school district. A school district
34 that increases the number of instructional days pursuant
35 to this article shall not decrease the number of
36 instructional days it offers in any subsequent fiscal years
37 in which it participates in this program.

38 SEC. 3. Section 44670.6 of the Education Code is
39 amended to read:



1 ~~44670.6. (a) A school or county office of education~~
2 ~~may include, as part of its school development plan, the~~
3 ~~provision of time during the regular school year to~~
4 ~~conduct professional development activities pursuant to~~
5 ~~a school development plan and shall receive full average~~
6 ~~daily attendance reimbursement under Section 46300.~~
7 ~~The time shall not exceed eight days during the 1997-98~~
8 ~~school year, five days during the 1998-99 school year, and~~
9 ~~two days during the 1999-2000 school year.~~

10 ~~(b) It is the intent of the Legislature that school~~
11 ~~districts and county offices of education revise~~
12 ~~procedures related to professional growth activities~~
13 ~~required by Section 44277 to ensure that activities~~
14 ~~consistent with school and school district development~~
15 ~~plans created pursuant to this article, and school~~
16 ~~improvement plans created pursuant to Chapter 6~~
17 ~~(commencing with Section 52000) of Part 28 satisfy the~~
18 ~~requirements.~~

19 ~~(c) This section shall become inoperative on July 1,~~
20 ~~2000, and as of January 1, 2001, is repealed, unless a later~~
21 ~~enacted statute, that becomes operative on or before~~
22 ~~January 1, 2001, deletes or extends the dates on which it~~
23 ~~becomes inoperative and is repealed.~~

24 ~~SEC. 4. Section 52022 of the Education Code is~~
25 ~~amended to read:~~

26 ~~52022. (a) Notwithstanding Section 37202 and 41420,~~
27 ~~any school may request, as part of its application to~~
28 ~~develop or implement a school improvement plan, the~~
29 ~~provision of time during the regular school year to advise~~
30 ~~students or conduct staff development programs and~~
31 ~~receive full average daily attendance reimbursement~~
32 ~~under the provisions of Section 46300. This time shall not~~
33 ~~exceed eight days each year for each participating staff~~
34 ~~member during the 1997-98 school year, five days during~~
35 ~~the 1998-99 school year, and two days during the~~
36 ~~1999-2000 school year.~~

37 ~~(b) This section shall become inoperative on July 1,~~
38 ~~2000, and, as of January 1, 2001, is repealed, unless a later~~
39 ~~enacted statute, that becomes operative on or before~~



1 ~~January 1, 2001, deletes or extends the dates on which it~~
2 ~~becomes inoperative and is repealed.~~

3 ~~SEC. 5. Section 52854 of the Education Code is~~
4 ~~amended to read:~~

5 ~~52854. (a) A schoolsite council may request, as part of~~
6 ~~its school plan, the provision of time during the regular~~
7 ~~school year to advise students or conduct staff~~
8 ~~development programs and receive full average daily~~
9 ~~attendance reimbursement under the provisions of~~
10 ~~Section 46300. That time shall not exceed eight days each~~
11 ~~year for each participating staff member during the~~
12 ~~1997-98 school year, five days during the 1998-99 school~~
13 ~~year, and two days during the 1999-2000 school year.~~

14 ~~(b) This section shall become inoperative on July 1,~~
15 ~~2000, and, as of January 1, 2001, is repealed, unless a later~~
16 ~~enacted statute, that becomes operative on or before~~
17 ~~January 1, 2001, deletes or extends the dates on which it~~
18 ~~becomes inoperative and is repealed.~~

19 ~~SEC. 6. Section 56242 of the Education Code is~~
20 ~~amended to read:~~

21 ~~56242. (a) A district, special education local plan~~
22 ~~area, or county office shall receive its full average daily~~
23 ~~attendance apportionment during the regular school~~
24 ~~year to conduct staff development programs pursuant to~~
25 ~~this article. Except as provided in subdivision (b), the~~
26 ~~time shall not exceed two days each year for each~~
27 ~~participating staff member. However, no district, special~~
28 ~~education local plan area, or county office shall receive~~
29 ~~average daily attendance reimbursement under this~~
30 ~~section if it is reimbursed pursuant to Chapter 1147 of the~~
31 ~~Statutes of 1972, Chapter 3.1 (commencing with Section~~
32 ~~44670) of Part 25, or Chapter 6 (commencing with~~
33 ~~Section 52000) of Part 28.~~

34 ~~(b) Whenever a school operates a school-based~~
35 ~~coordinated program pursuant to Chapter 12~~
36 ~~(commencing with Section 52800) of Part 28 and that~~
37 ~~program includes special education programs and~~
38 ~~services, staff members teaching in special classes and~~
39 ~~centers may receive the same number of staff~~



1 ~~development days as other staff members are receiving~~
2 ~~at that schoolsite.~~

3 ~~(e) This section shall become inoperative on July 1,~~
4 ~~2000, and, as of January 1, 2001, is repealed, unless a later~~
5 ~~enacted statute, that becomes operative on or before~~
6 ~~January 1, 2001, deletes or extends the dates on which it~~
7 ~~becomes inoperative and is repealed.~~

8 ~~SEC. 7. (a) It is the intent of the Legislature to~~
9 ~~appropriate in the Budget Act of 1998, a sufficient amount~~
10 ~~from the General Fund to the Superintendent of Public~~
11 ~~Instruction for the 1998-99 fiscal year for the purposes of~~
12 ~~funding three days of staff development for all school~~
13 ~~agencies, including school districts and county offices of~~
14 ~~education, for kindergarten and grades 1 to 12, inclusive,~~
15 ~~pursuant to Article 7.5 (commencing with Section 44579)~~
16 ~~of Chapter 3 of Part 25 of the Education Code.~~

17 ~~(b) It is also the intent of the Legislature to~~
18 ~~appropriate in each subsequent Budget Act, a sufficient~~
19 ~~amount per fiscal year from the General Fund to the~~
20 ~~Superintendent of Public Instruction for the purposes of~~
21 ~~funding five days of staff development in the 1999-2000~~
22 ~~fiscal year and every fiscal year thereafter for all school~~
23 ~~agencies, including school districts and county offices of~~
24 ~~education, for kindergarten and grades 1 to 12, inclusive,~~
25 ~~pursuant to Article 7.5 (commencing with Section 44579)~~
26 ~~of Chapter 3 of Part 25 of the Education Code.~~

27 ~~SEC. 8. This act is an urgency statute necessary for the~~
28 ~~immediate preservation of the public peace, health, or~~
29 ~~safety within the meaning of Article IV of the~~
30 ~~Constitution and shall go into immediate effect. The facts~~
31 ~~constituting the necessity are:~~

32 ~~In order to implement the Staff Development Buy-out~~
33 ~~Program at the earliest opportunity, it is necessary that~~
34 ~~this act take effect immediately.~~



- 1 _____
- 2 CORRECTIONS
- 3 **Heading — Authors—Line 1.**
- 4 _____
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