

Assembly Bill No. 312

Passed the Assembly September 10, 1999

Chief Clerk of the Assembly

Passed the Senate September 8, 1999

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 1999, at _____ o'clock ____M.

Private Secretary of the Governor



CHAPTER _____

An act to amend Section 39 of Chapter 825 of the Statutes of 1997, relating to community day schools, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 312, Honda. Community day schools.

(1) Existing law provides that a charter school that serves at-risk pupils and operates under a charter approved before June 1, 1997, in the County of Los Angeles may continue to operate until June 30, 1999.

This bill would extend that date to June 30, 2005.

(2) Existing law requires that the attendance of pupils in a charter school described in (2), above, be funded at the same rates for the same categories of pupils as community schools in the same county. Existing law describes the method for the determination and reporting of the average daily attendance of such a charter school. Existing law also requires instruction in community day schools to be provided by or under the supervision of a certificated employee of the school district or a consortium of school districts and imposes certain limits on the amount of average daily attendance that may be used to claim additional funds for operation of the school.

This bill would authorize, notwithstanding these provisions of law, that a charter school described in (1) may be funded for not more than 2,000 units of average daily attendance in any fiscal year, to the extent funding is appropriated therefor, as if it were a community day school operated by a county.

(3) Existing law provides that these provisions shall not be construed to authorize a county board of education to grant, or to prohibit a county board of education from granting, a charter that has not been denied by a school district.

This bill would delete this provision.



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

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

SECTION 1. Section 39 of Chapter 825 of the Statutes of 1997, is amended to read:

Sec. 1. (a) A charter school operating under a charter approved before June 1, 1997, by the county board of education of a county of the first class to serve at-risk pupils, may operate until June 30, 2005.

(b) Notwithstanding Section 47612 of the Education Code, and except as provided in subdivision (d), the attendance of pupils in a charter school operating pursuant to subdivision (a) shall be funded at the same rates for the same categories of pupils as community schools in the same county that are operated pursuant to Section 1980 of the Education Code, provided that the charter school is operated for at least the same amount of time each schoolday as the minimum required of community schools operated pursuant to Section 1980 of the Education Code.

(c) Except as provided in subdivision (d), a charter school operating pursuant to subdivision (a) shall have its average daily attendance determined and reported as provided in subdivision (b) of Section 41601 of the Education Code, and that school's apportionments of state funding shall be calculated in the same manner as apportionments for community schools operated pursuant to Section 1980 of the Education Code.

(d) A charter school operated pursuant to subdivision (a) may, if its charter so provides, operate one or more community day schools in compliance with all provisions of Article 3 (commencing with Section 48660) of Chapter 4 of Part 27 of the Education Code, except for compliance with the employment requirements in subdivision (a) of Section 48663 and subdivision (c) of Section 48664, and the funded average daily attendance limitations of paragraphs (1) and (2) of subdivision (a) of Section 48664, and be funded for not more than 2,000 units of



average daily attendance in any fiscal year, to the extent funding is appropriated therefor, pursuant to subdivision (a) of Section 48664 as if it were a community day school operated by a county. The average daily attendance of a charter school operating pursuant to this section shall not be in addition to the average daily attendance limitation provided pursuant to subdivision (a) of Section 48664 of the Education Code.

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

In order to revise the formula for funding community day schools operated by county offices of education, it is necessary that this act take effect immediately.



Approved _____, 1999

Governor

