

Assembly Bill No. 1087

CHAPTER 405

An act to amend Section 45023.4 of the Education Code, relating to teacher salaries, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 11, 2000. Filed
with Secretary of State September 12, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1087, Calderon. Teachers: salaries.

Existing law, known as the Jack O'Connell Beginning-Teacher Salary Incentive Program, authorizes the governing board of a school district, the county superintendent of schools, or the county board of education to increase, for teachers who meet certain requirements, the salary on its adopted certificated employee salary schedule. Any school district that elects to meet the program's requirements is eligible to receive an incentive amount that is calculated pursuant to a specified formula.

This bill would revise the incentive formula established for purposes of the Jack O'Connell Beginning-Teacher Salary Incentive Program.

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 45023.4 of the Education Code is amended to read:

45023.4. (a) This section shall be known, and may be cited, as the Jack O'Connell Beginning-Teacher Salary Incentive Program. Commencing in the 1999–2000 fiscal year the governing board of a school district, the county superintendent of schools, or the county board of education may increase, for teachers who meet the requirements of this subdivision, the salary on its adopted certificated employee salary schedule as provided in subdivision (b). Any school district that elects to meet the requirements of this section shall be eligible to receive the incentive amount provided by subdivision (c). For purposes of this section, any teacher for whom the governing board, county superintendent of schools, or county board of education may increase salaries shall meet all of the following criteria:

(1) Hold a valid California teaching credential, not including an emergency permit, intern permit, or waiver.



(2) Possess a baccalaureate or higher degree.

(3) Receive a salary paid from the general fund of the district or county office.

(b) The governing board, county superintendent of schools, or county board of education that elects to increase teachers' salaries as authorized pursuant to subdivision (a) shall perform the following computations:

(1) The governing board, county superintendent of schools, or county board of education shall designate as the lowest salary on the salary schedule for a certificated employee meeting or exceeding the criteria in subdivision (a) an amount equal to a minimum annual salary of thirty-two thousand dollars (\$32,000). If this salary change results in costs to the school district or county office of education that are equal to or greater than the incentive received pursuant to subdivision (c), the minimum salary shall be thirty-two thousand dollars (\$32,000). If this salary change results in costs to the school districts or county offices of education that are less than the incentive received, the remainder shall be used to increase the beginning salary by an amount above thirty-two thousand dollars (\$32,000) which fully applies the incentive received.

(2) The governing board, county superintendent of schools, or county board of education shall increase to the annual salary amount in paragraph (1) the salary of any certificated employee meeting the criteria in subdivision (a) whose salary on the salary schedule is less than the amount computed in paragraph (1) and, notwithstanding Section 45028, shall incorporate that increase into the salary schedule.

(3) The newly adopted salary schedule shall contain only one cell that meets the amount set forth in paragraph (1), which most often is the first-year step of a salary schedule column for certificated personnel who meet the criteria set forth in subdivision (a). All other salary schedule cells shall exceed the level set forth in paragraph (1) for personnel that meet the criteria in subdivision (a).

(c) In the 1999–2000 fiscal year, the Superintendent of Public Instruction shall divide the amount appropriated for the purposes of this section by the 1998–99 second principal apportionment average daily attendance for all school districts and county offices of education in the state. Each school district and county office of education that certifies to the Superintendent of Public Instruction that it is in full compliance with this section shall receive following that certification an amount equal to the results of the calculation multiplied by the participating school district's or county office's 1998–99 second principal apportionment average daily attendance.

(d) For the 2000–01 fiscal year and each fiscal year thereafter, for each school district that meets the requirements of subdivision (b), the Superintendent of Public Instruction shall sum the results of paragraphs (1) and (2) and add that figure to the total school district revenue limit computed pursuant to Section 42238.



(1) Annually increase the statewide average funding rate per unit of average daily attendance calculated pursuant to subdivision (c) by the percentage increase computed pursuant to subdivision (b) of Section 42238.1 and multiply the resulting product by the school district's second period average daily attendance for the prior fiscal year excluding attendance in regional occupational centers and programs, adult education programs, and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(2) Annually increase the statewide average funding rate per unit of average daily attendance calculated pursuant to subdivision (c) by the percentage increase computed pursuant to subdivision (b) of Section 42238.1 and multiply the resulting product by the school district's second period average daily attendance for the prior fiscal year in regional occupational centers and programs, excluding attendance in charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(e) For the 2000–01 fiscal year and each fiscal year thereafter, for each county office of education that meets the requirements of subdivision (b), the Superintendent of Public Instruction shall add the sum of paragraphs (1) and (2) to the county office of education revenue limit computed pursuant to Section 2550.

(1) Annually increase the statewide average funding rate per unit of average daily attendance calculated pursuant to subdivision (c) by the percentage increase identified pursuant to Section 2557 and multiply the resulting product by the county office of education's second period average daily attendance for the prior fiscal year excluding attendance in regional occupational centers or programs, adult education programs, and charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(2) Annually increase the statewide average funding rate per unit of average daily attendance calculated pursuant to subdivision (c) by the percentage increase identified pursuant to Section 2557 and multiply the resulting product by the county office of education's second period average daily attendance for the prior fiscal year in regional occupational centers or programs excluding attendance in charter schools participating in the charter school block grant pursuant to Article 2 (commencing with Section 47633) of Chapter 6 of Part 26.8.

(f) The adjustment to the school district and county office of education revenue limit prescribed in subdivisions (d) and (e) shall continue so long as the increase in the salary schedule made pursuant to paragraph (2) of subdivision (b) is maintained.

(g) The adjustment made to school district or county office of education revenue limits pursuant to subdivisions (d) and (e) shall



not be considered part of the base revenue limit for purposes of computing equalization adjustments or determining other differences in school funding that are based on the amount of funding received by a school district or county office of education.

(h) This section does not prohibit a school district and its employees from negotiating salary schedules.

SEC. 2. 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 funding formula for the incentive amount provided to school districts that participate in the Jack O'Connell Beginning-Teacher Salary Incentive Program at the earliest possible time it is necessary for this act to take effect immediately.

