

AMENDED IN SENATE JANUARY 27, 1999

AMENDED IN SENATE JANUARY 15, 1999

**SENATE BILL**

**No. 55**

**Introduced by Senator O'Connell**

*(Principal coauthor: Assembly Member Shelley)*

*(Coauthor: Senator McPherson)*

December 7, 1998

An act to amend and supplement the Budget Act of 1998 (Chapter 324 of the Statutes of 1998), relating to education, and making an appropriation for the usual current expenses of the state, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 55, as amended, O'Connell. ~~Education:—~~State Department of Education.

Under existing law there is in state government a State Department of Education and the department is responsible for various ongoing activities involving the public schools.

This bill would amend and supplement the Budget Act of 1998 by appropriating ~~\$8,000,000—~~\$74,593,722 from the General Fund to the State Department of Education *for the ongoing activities of the public schools as follows: (1) \$8,000,000* to supplement funding during the 1998–99 fiscal year for the ongoing activities of the department involving the public schools:

~~This bill would further amend and supplement the Budget Act of 1998 by appropriating \$5,752,041 from the General Fund to the State Controller; (2) \$11,218,546 for~~



reimbursement of certain claims for the 1994–95 fiscal year made by school districts for costs of court-ordered desegregation programs:

~~This bill would further amend and supplement the Budget Act of 1998 by appropriating; (3) \$37,096,000 to the Department of Education for transfer to the Controller of~~ for reimbursement of certain claims *for the 1995–96 fiscal year* made by school districts for costs of court-ordered desegregation programs; (4) \$5,764,050 *for reimbursement of certain approved claims for the 1994–95 fiscal year made by school districts for the costs of voluntary desegregation programs;* and (5) \$12,515,126 *for reimbursement of certain approved claims for the 1995–96 fiscal year made by school districts for costs of voluntary desegregation programs.*

The funds appropriated by this bill for the costs of ~~court-ordered~~ desegregation programs would be applied toward the minimum funding requirement for school districts and community college districts imposed by Section 8 or Article XVI of the California Constitution.

This bill would declare that it is to go into immediate effect as an appropriation for the usual current expenses of the state.

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. In augmentation of the Budget Act of  
2 1998 (Chapter 324 of the Statutes of 1998), the sum of  
3 ~~eight million dollars (\$8,000,000)~~ *seventy-four million*  
4 *five hundred ninety-three thousand seven hundred*  
5 *twenty-two dollars (\$74,593,722)* is hereby appropriated  
6 from the General Fund to the State Department of  
7 Education to supplement funding during the 1998–99  
8 fiscal year for the ongoing activities of the ~~department~~  
9 ~~involving the public schools.~~

10 ~~SEC. 2. (a) In augmentation of the amount~~  
11 ~~appropriated in the Budget Act of 1998, (Chapter 324 of~~  
12 ~~the Statutes of 1998), the sum of five million seven~~  
13 ~~hundred fifty-two thousand forty-one dollars (\$5,752,041)~~  
14 ~~is hereby appropriated from the General Fund to the~~



1 ~~State Controller, for reimbursement of claims received~~  
 2 ~~from the following school districts for costs of~~  
 3 ~~court-ordered desegregation programs pursuant to~~  
 4 ~~Section 42247 of the Education Code, in accordance with~~  
 5 ~~subdivision (b):~~

6 ~~(b) The schedule shall be as follows: public schools to~~  
 7 ~~be allocated as follows:~~

8 ~~(a) Eight million dollars (\$8,000,000) to the State~~  
 9 ~~Department of Education to supplement funding during~~  
 10 ~~the 1998-99 fiscal year for the ongoing activities of the~~  
 11 ~~department involving the public schools.~~

12 ~~(b) Eleven million two hundred eighteen thousand~~  
 13 ~~five hundred forty-six dollars (\$11,218,546) for~~  
 14 ~~reimbursement of approved claims received from the~~  
 15 ~~following school districts for the 1994-95 costs of~~  
 16 ~~court-ordered desegregation programs pursuant to~~  
 17 ~~Section 42247 of the Education Code, in accordance with~~  
 18 ~~the following schedule:~~

	Reimbursement
	Claims
Court-Ordered Desegregation	for the 1994-95
School Districts	fiscal year
25 Bakersfield City School District	<del>132,687</del>
	410,451
27 Los Angeles Unified School District	<del>1,610,233</del>
	4,981,060
29 Menlo Park City School District	<del>3,728</del>
	11,532
31 Palo Alto Unified School District	<del>62,994</del>
	194,863
33 Ravenswood City School District	<del>2,674</del>
	8,273
35 Redwood City School District	<del>3,863</del>
	11,950
37 San Bernardino Unified School District	<del>221,810</del>
	686,143
39 San Diego Unified School District	0



1	San Francisco Unified School District	<del>692,686</del>
2		2,142,741
3	San Jose Unified School District	<del>417,173</del>
4		1,290,475
5	San Mateo County Office of Education	<del>1,047</del>
6		3,240
7	Santa Clara County Superintendent of Schools	<del>1,325</del>
8		4,100
9	Sequoia Union High School District	<del>31,630</del>
10		97,845
11	Stockton Unified School District	<del>444,780</del>
12		1,375,873
13		<hr/>
14	GRAND TOTAL	<del>\$5,752,041</del>
15		\$11,218,546

16  
17 ~~SEC. 3. Item 6610-114-0001 is added to Section 2.00 of~~  
18 ~~the Budget Act of 1998 (Chapter 324 of the Statutes of~~  
19 ~~1998), to read:~~

20  
21 ~~6110-114-0001 For local assistance, Department of~~  
22 ~~Education, (Proposition 98), for transfer to the~~  
23 ~~Controller, for reimbursement of claims received~~  
24 ~~pursuant to Sections 42243.6 and 42247 of the~~  
25 ~~Education Code, (court-ordered desegregation)~~  
26 ~~Program 10.10.018-School Apportionments . . . . .~~ \$37,096,000

27 Schedule:

28 (a) ~~10.10.018.005 Instruction:~~  
29 ~~School Apportionments~~  
30 ~~(Court-Ordered Desegrega-~~  
31 ~~tion)-Bakersfield Unified~~  
32 ~~School District . . . . .~~ 410,000  
33 (b) ~~10.10.018.010 Instruction:~~  
34 ~~School Apportionments~~  
35 ~~(Court-Ordered Desegrega-~~  
36 ~~tion)-Los Angeles Unified~~  
37 ~~School District . . . . .~~ 21,204,000



1	<del>(c) 10.10.018.070—Instruction:</del>	
2	<del>School ——— Apportionments</del>	
3	<del>(Court-Ordered ——— Desegrega-</del>	
4	<del>tion) Menlo Park City Ele-</del>	
5	<del>mentary School District .....</del>	<del>11,000</del>
6	<del>(d) 10.10.018.040—Instruction:</del>	
7	<del>School ——— Apportionments</del>	
8	<del>(Court-Ordered ——— Desegrega-</del>	
9	<del>tion) Palo Alto Unified School</del>	
10	<del>District .....</del>	<del>209,000</del>
11	<del>(e) 10.10.018.075—Instruction:</del>	
12	<del>School ——— Apportionments</del>	
13	<del>(Court-Ordered ——— Desegrega-</del>	
14	<del>tion) Ravenswood City Ele-</del>	
15	<del>mentary School District .....</del>	<del>10,000</del>
16	<del>(f) 10.10.018.050—Instruction:</del>	
17	<del>School ——— Apportionments</del>	
18	<del>(Court-Ordered ——— Desegrega-</del>	
19	<del>tion) Redwood City Elemen-</del>	
20	<del>tary School District .....</del>	<del>13,000</del>
21	<del>(g) 10.10.019.020—Instruction:</del>	
22	<del>School ——— Apportionments=vol-</del>	
23	<del>untary ——— desegregation San</del>	
24	<del>Bernardino ——— City ——— Unified</del>	
25	<del>School District .....</del>	<del>997,000</del>
26	<del>(h) 10.10.019.022—Instruction:</del>	
27	<del>School ——— Apportionments=vol-</del>	
28	<del>untary ——— desegregation San Di-</del>	
29	<del>ego City Unified School Dis-</del>	
30	<del>trict .....</del>	<del>1,861,000</del>
31	<del>(i) 10.10.019.024—Instruction:</del>	
32	<del>School ——— Apportionments=vol-</del>	
33	<del>untary ——— desegregation San</del>	
34	<del>Francisco Unified School Dis-</del>	
35	<del>trict .....</del>	<del>10,573,000</del>



1	<del>(j) 10.10.018.030—Instruction</del>	
2	<del>School ——— Apportionments</del>	
3	<del>(Court-Ordered ——— Desegrega-</del>	
4	<del>tion)—San Jose Unified School</del>	
5	<del>District .....</del>	<del>63,000</del>
6	<del>(k) 10.10.018.055—Instruction:</del>	
7	<del>School ——— Apportionments</del>	
8	<del>(Court-Ordered ——— Desegrega-</del>	
9	<del>tion)—San Mateo County Su-</del>	
10	<del>perintendent .....</del>	<del>12,000</del>
11	<del>(l) 10.10.018.060—Instruction:</del>	
12	<del>School ——— Apportionments</del>	
13	<del>(Court-Ordered ——— Desegrega-</del>	
14	<del>tion)—Santa Clara County Of-</del>	
15	<del>fice of Education .....</del>	<del>4,000</del>
16	<del>(m) 10.10.018.065—Instruction:</del>	
17	<del>School ——— Apportionments</del>	
18	<del>(Court-Ordered ——— Desegrega-</del>	
19	<del>tion)—Sequoia Unified High</del>	
20	<del>School District .....</del>	<del>125,000</del>
21	<del>(n) 10.10.018.035—Instruction:</del>	
22	<del>School ——— Apportionments</del>	
23	<del>(Court-Ordered ——— Desegrega-</del>	
24	<del>tion)—Stockton Unified School</del>	
25	<del>District .....</del>	<del>1,604,000</del>
26	<del>Provisions:</del>	
27	<del>1. Funds appropriated by this item are for reim-</del>	
28	<del>bursement of amounts necessary to pay costs</del>	
29	<del>of integration programs in districts initially-</del>	
30	<del>mandated by the courts, as defined in Section</del>	
31	<del>2205 of the Revenue and Tax Code pursuant</del>	
32	<del>to any final court order issued after January 1,</del>	
33	<del>1978.</del>	



- 1     ~~2. The Controller shall allocate funds appro-~~  
2         ~~riated by this item in accordance with provi-~~  
3         ~~sions of Sections 42243.6 and 42247 of the~~  
4         ~~Education Code. Pursuant to the provisions~~  
5         ~~of Section 42243.8 of the Education Code, the~~  
6         ~~Controller shall reimburse claims received~~  
7         ~~pursuant to Sections 42243.6 and 42247 of the~~  
8         ~~Education Code only from funds appro-~~  
9         ~~riated specifically for that purpose by the~~  
10        ~~Legislature.~~
- 11    ~~3. School districts may contract with the Contro-~~  
12       ~~ller for the performance of those audits. All~~  
13       ~~past year actual claims submitted to the Con-~~  
14       ~~troller for payment shall be accompanied by~~  
15       ~~any reports issued by the auditing entity, un-~~  
16       ~~less the auditing entity was the Controller.~~
- 17    ~~4. The Controller shall reimburse only those past~~  
18       ~~year actual claims that conform with the re-~~  
19       ~~quirements of Provision 2 of this item.~~
- 20    ~~5. The Controller shall allocate funds appro-~~  
21       ~~riated by this item in accordance with the~~  
22       ~~schedule contained herein, unless revision of~~  
23       ~~that schedule has been approved by the De-~~  
24       ~~partment of Finance. The Controller shall al-~~  
25       ~~locate these funds only for 1998-99 fiscal year~~  
26       ~~expenditures claimed by local education~~  
27       ~~agencies.~~
- 28    ~~6. The Department of Finance may not authorize~~  
29       ~~any revisions to the schedule contained here-~~  
30       ~~in sooner than 30 days after notification in~~  
31       ~~writing of the necessity therefore to the chair-~~  
32       ~~person of the committee in each house that~~  
33       ~~considers appropriations and the Chairper-~~  
34       ~~son of the Joint Legislative Budget Commit-~~  
35       ~~tee, or not sooner than whatever lesser time~~  
36       ~~the Chairperson of the Joint Legislative Bud-~~  
37       ~~get Committee, or his or her designee, may,~~  
38       ~~in each instance, determine.~~



1 ~~7. Funds appropriated in this item may not be~~  
2 ~~used to reimburse local education agency~~  
3 ~~claims for facilities lease costs, school~~  
4 ~~construction, reconstruction, replacement of~~  
5 ~~facilities, purchase of existing facilities, pur-~~  
6 ~~chase of land, or the performance of deferred~~  
7 ~~maintenance activities on facilities.~~

8 ~~8. As a condition of receiving funding under this~~  
9 ~~item, by March 1, 1999, each school district~~  
10 ~~that receives reimbursement for the costs of~~  
11 ~~a desegregation program shall submit to the~~  
12 ~~State Department of Education program out-~~  
13 ~~come data over the preceding three years, or~~  
14 ~~since the inception of its program, whichever~~  
15 ~~period of time is less. The data shall include~~  
16 ~~the ethnic distribution of pupils at schools~~  
17 ~~supported with desegregation funds, and in-~~  
18 ~~dicators of pupil success at those schools, such~~  
19 ~~as test scores, graduation rates, or dropout~~  
20 ~~rates. School districts may submit evaluation~~  
21 ~~reports that already exist or are otherwise re-~~  
22 ~~quired by a court to comply with this require-~~  
23 ~~ment, provided that the reports contain the~~  
24 ~~information specified above. School districts~~  
25 ~~also shall indicate whether their desegrega-~~  
26 ~~tion programs were initiated voluntarily, or~~  
27 ~~as a result of a consent decree.~~

28  
29 SEC. 4. (a) ~~For the purposes of making computations~~  
30 ~~required by Section 8 of Article XVI of the California~~  
31 ~~Constitution, the appropriation made by Sections 2 and~~  
32 ~~3 shall be deemed to be "General Fund revenues~~  
33 ~~appropriated to school districts," as defined in subdivision~~  
34 ~~(e) of Section 41202 of the Education Code for the~~  
35 ~~1997-98 fiscal year, and be included within the "total~~  
36 ~~allocations to school districts and community college~~  
37 ~~districts from General Fund proceeds of taxes~~  
38 ~~appropriated pursuant to Article XIII B," as defined in~~  
39 ~~subdivision (e) of Section 41202 of the Education Code for~~  
40 ~~the 1997-98 fiscal year.~~



1 ~~(b) Funds appropriated by Section 2 for deficiencies in~~  
 2 ~~desegregation programs for the 1994-95 fiscal year do not~~  
 3 ~~imply that funding will be provided for this purpose in~~  
 4 ~~years subsequent to the 1995-96 fiscal year. This section~~  
 5 ~~shall not be construed as a requirement for the payment~~  
 6 ~~of any other deficits in the funding levels for the~~  
 7 ~~remaining categorical programs contained in Item~~  
 8 ~~6110-230-0001 of Section 2.00 of any annual Budget Act.~~

9 ~~SEC. 5.—~~

10 (c) *Thirty-seven million ninety-six thousand dollars*  
 11 *(\$37,096,000) for reimbursement of approved claims*  
 12 *received from the following school districts for the*  
 13 *1995-96 costs of court-ordered desegregation programs*  
 14 *pursuant to Section 42247 of the Education Code, in*  
 15 *accordance with the following schedule:*

	<i>Reimbursement</i>
	<i>Claims</i>
<i>Court Ordered Desegregation</i>	<i>for the 1995-96</i>
<i>School Districts</i>	<i>fiscal year</i>
<i>Bakersfield City School District</i>	<i>\$ 410,000</i>
<i>Los Angeles Unified School District</i>	<i>21,204,000</i>
<i>Menlo Park City School District</i>	<i>11,000</i>
<i>Palo Alto Unified School District</i>	<i>209,000</i>
<i>Ravenswood City School District</i>	<i>10,000</i>
<i>Redwood City School District</i>	<i>13,000</i>
<i>San Bernardino Unified School District</i>	<i>997,000</i>
<i>San Diego Unified School District</i>	<i>1,861,000</i>
<i>San Francisco Unified School District</i>	<i>10,573,000</i>
<i>San Jose Unified School District</i>	<i>63,000</i>
<i>San Mateo County Office of Education</i>	<i>12,000</i>
<i>Santa Clara County Superintendent of Schools</i>	<i>4,000</i>
<i>Sequoia Union High School District</i>	<i>125,000</i>
<i>Stockton Unified School District</i>	<i>1,604,000</i>
	<hr/>
<i>GRAND TOTAL</i>	<i>\$37,096,000</i>

38  
 39 (d) *Five million seven hundred sixty-four thousand*  
 40 *fifty dollars (\$5,764,050) for reimbursement of approved*



1 *claims received from the following school districts for the*  
 2 *1994–95 costs of voluntary desegregation programs*  
 3 *pursuant to Sections 42247 and 42249 of the Education*  
 4 *Code, in accordance with the following schedule:*

	<i>Reimbursement</i>
	<i>Claims</i>
<i>Voluntary Desegregation</i>	<i>for the 1994–95</i>
<i>School Districts</i>	<i>fiscal year</i>
11 <i>ABC Unified School District</i>	\$ 27,858
12 <i>Bakersfield City School District</i>	110,047
13 <i>Banning Unified School District</i>	3,701
14 <i>Berkeley Unified School District</i>	0
15 <i>Brawley Elementary School District</i>	11,876
16 <i>Chula Vista Elementary School District</i>	18,030
17 <i>Claremont Unified School District</i>	18,178
18 <i>Eastside Union High School District</i>	13,025
19 <i>El Centro Elementary School District</i>	50,636
20 <i>Fresno Unified School District</i>	931,627
21 <i>Fullerton Elementary School District</i>	10,972
22 <i>Gilroy Unified School District</i>	114,281
23 <i>Hanford School District</i>	2,786
24 <i>Long Beach Unified School District</i>	0
25 <i>Los Angeles Unified School District</i>	2,713,333
26 <i>Merced City School District</i>	16,560
27 <i>Monrovia Unified School District</i>	6,574
28 <i>Monterey Peninsula Unified School District</i>	22,309
29 <i>Mountain View–Los Altos Union School District</i>	205
30 <i>North Monterey County Unified School District</i>	0
31 <i>Oakland Unified School District</i>	53,235
32 <i>Oxnard Elementary School District</i>	79,242
33 <i>Pasadena Unified School District</i>	29,335
34 <i>Redwood City Elementary School District</i>	30,132
35 <i>Riverside Unified School District</i>	51,217
36 <i>Sacramento City Unified School District</i>	9,469
37 <i>San Bernardino City Unified School District</i>	342,878
38 <i>San Diego City Unified School District</i>	418,635
39 <i>San Jose Unified School District</i>	202,067
40 <i>San Mateo–Foster City School District</i>	44,281



1	<i>San Mateo Union High School District</i>	10,460
2	<i>Santa Barbara Elementary School District</i>	3,560
3	<i>Santa Monica–Malibu School District</i>	72,388
4	<i>Santa Paula Elementary School District</i>	23,223
5	<i>Sequoia Union High School District</i>	15,747
6	<i>Solana Beach Elementary School District</i>	6,766
7	<i>Sunnyvale Elementary School District</i>	6,531
8	<i>Sweetwater Union High School District</i>	51,630
9	<i>Ventura Unified School District</i>	0
10	<i>Vista Unified School District</i>	241,256
11		<hr/>
12	GRAND TOTAL	\$5,764,050

13  
14 (e) Twelve million five hundred fifteen thousand one  
15 hundred twenty-six dollars (\$12,515,126) for  
16 reimbursement of approved claims received from the  
17 following school districts for the 1995–96 costs of  
18 voluntary desegregation programs pursuant to Sections  
19 42247 and 42249 of the Education Code, in accordance  
20 with the following schedule:

21		
22		<i>Reimbursement</i>
23		<i>Claims</i>
24	<i>Voluntary Desegregation</i>	<i>for the 1995–96</i>
25	<i>School Districts</i>	<i>fiscal year</i>
26		
27	<i>ABC Unified School District</i>	\$ 29,603
28	<i>Bakersfield City School District</i>	143,258
29	<i>Banning Unified School District</i>	4,294
30	<i>Berkeley Unified School District</i>	265,008
31	<i>Brawley Elementary School District</i>	7,136
32	<i>Chula Vista Elementary School District</i>	0
33	<i>Claremont Unified School District</i>	31,505
34	<i>Eastside Union High School District</i>	0
35	<i>El Centro Elementary School District</i>	23,208
36	<i>Fresno Unified School District</i>	926,980
37	<i>Fullerton Elementary School District</i>	16,489
38	<i>Gilroy Unified School District</i>	172,618
39	<i>Hanford School District</i>	3,297
40	<i>Long Beach Unified School District</i>	2,094,695



1	<i>Los Angeles Unified School District</i>	5,544,945
2	<i>Merced City School District</i>	21,792
3	<i>Monrovia Unified School District</i>	23,539
4	<i>Monterey Peninsula Unified School District</i>	19,415
5	<i>Mountain View–Los Altos Union School District</i>	151
6	<i>North Monterey County Unified School District</i>	43,110
7	<i>Oakland Unified School District</i>	406,839
8	<i>Oxnard Elementary School District</i>	94,920
9	<i>Pasadena Unified School District</i>	123,623
10	<i>Redwood City Elementary School District</i>	230,568
11	<i>Riverside Unified School District</i>	73,422
12	<i>Sacramento City Unified School District</i>	16,186
13	<i>San Bernardino City Unified School District</i>	508,668
14	<i>San Diego City Unified School District</i>	813,794
15	<i>San Jose Unified School District</i>	267,242
16	<i>San Mateo–Foster City School District</i>	60,157
17	<i>San Mateo Union High School District</i>	14,920
18	<i>Santa Barbara Elementary School District</i>	289
19	<i>Santa Monica–Malibu School District</i>	101,285
20	<i>Santa Paula Elementary School District</i>	73,550
21	<i>Sequoia Union High School District</i>	18,394
22	<i>Solana Beach Elementary School District</i>	0
23	<i>Sunnyvale Elementary School District</i>	9,225
24	<i>Sweetwater Union High School District</i>	51,630
25	<i>Ventura Unified School District</i>	2,059
26	<i>Vista Unified School District</i>	328,942
27		<hr/>
28	<i>GRAND TOTAL</i>	<i>\$12,515,126</i>

29  
30 SEC. 2. This act makes an appropriation for the usual  
31 current expenses of the state within the meaning of  
32 Article IV of the Constitution and shall go into immediate  
33 effect.

O

