

Introduced by Senator Escutia

February 26, 1999

An act to amend Sections 42265, 42267, and 42268 of the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1068, as introduced, Escutia. School districts: year-round schools.

Under existing law, a school district that applies for funding for the first year of operation of a schoolsite on a multitrack year-round basis is eligible for funding to the extent that the estimated pupil population certified by the district exceeds the capacity of the schoolsite by not less than 5%. Existing law provides that a school district that receives funding for operation of a multitrack year-round education program at a schoolsite for any fiscal year is required to report to the Superintendent of Public Instruction, no later than June 30 of that fiscal year, the number of pupils enrolled for the schoolsite in excess of the capacity of the schoolsite. Under existing law, the Superintendent of Public Instruction is required to annually report to the State Allocation Board regarding the maximum allowable building area and the number of pupils in excess of capacity at the schoolsite as certified by the school district.

This bill would change these provisions to correct certain code references contained therein.

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

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

1 SECTION 1. Section 42265 of the Education Code is
 2 amended to read:
 3 42265. Notwithstanding subdivision (b) of Section
 4 42260, a district that applies for funding for the first year
 5 of operation of a schoolsite on a multitrack year-round
 6 basis shall be eligible for funding to the extent that the
 7 estimated pupil population certified by the district
 8 exceeds the capacity of the schoolsite by not less than 5
 9 percent, regardless of whether or not the actual pupil
 10 population is subsequently determined to meet or exceed
 11 that excess capacity standard. The reduction of building
 12 area eligibility required under Section ~~17746.8~~ 17046.8
 13 shall apply on the basis of the estimated, rather than the
 14 actual, pupil population certified by the district for that
 15 year of operation.
 16 SEC. 2. Section 42267 of the Education Code is
 17 amended to read:
 18 42267. (a) Each school district that receives funding
 19 for a schoolsite pursuant to Section 42263 for any fiscal
 20 year shall report to the Superintendent of Public
 21 Instruction, no later than June 30 of that fiscal year, the
 22 number of pupils enrolled for the schoolsite in excess of
 23 the capacity of the schoolsite, as determined by State
 24 Allocation Board or court-mandated pupil loading
 25 standards.
 26 (b) The amount of funding otherwise calculated for a
 27 schoolsite for any fiscal year pursuant to Section 42263
 28 shall be reduced by the superintendent to reflect the
 29 extent to which the number of pupils estimated for that
 30 schoolsite for the prior fiscal year is greater than the
 31 number of pupils certified in excess of the capacity of the
 32 schoolsite for that prior fiscal year. If the amount of that
 33 reduction exceeds the funding entitlement for that
 34 schoolsite for the current fiscal year, the superintendent
 35 shall reduce the first principal apportionment to that
 36 school district in the current fiscal year by the amount of
 37 that excess.



1 (c) If the number of pupils estimated for a schoolsite
2 for the prior fiscal year is less than the number of pupils
3 certified in excess of the capacity of the schoolsite for that
4 prior fiscal year, the school district may elect to increase
5 accordingly the number of pupils it subsequently claims
6 for the prior fiscal year. In that event, the superintendent
7 shall increase the district's funding entitlement under
8 Section 42263 for the schoolsite for the current fiscal year,
9 and the district's building area eligibility under Chapter
10 ~~22 (commencing with Section 17700)~~ 12 (*commencing*
11 *with Section 17000*) shall be reduced accordingly
12 pursuant to Section 17746.8.

13 SEC. 3. Section 42268 of the Education Code is
14 amended to read:

15 42268. (a) The Superintendent of Public Instruction
16 shall annually report to the State Allocation Board, for the
17 purposes of Section ~~47746.8~~ 17046.8, the number of pupils
18 in excess of capacity certified by the district pursuant to
19 subdivision (b) of Section 42263, or the number of pupils
20 prescribed by subdivision (b) of this section, whichever
21 is greater.

22 (b) In the first year of funding for a schoolsite under
23 Section 42263, if the number of pupils certified in excess
24 of the capacity of the schoolsite is less than 5 percent of
25 capacity, the number of pupils reported by the
26 superintendent shall be equal to 5 percent of capacity. In
27 the second year of that funding, if the number of pupils
28 certified in excess of the capacity of the schoolsite is less
29 than 10 percent of capacity, the number of pupils
30 reported by the superintendent shall be equal to 10
31 percent of capacity. In the third, and each subsequent
32 year of that funding, if the number of pupils certified in
33 excess of the capacity of the schoolsite is less than 15
34 percent of capacity, the number of pupils reported by the
35 superintendent shall be equal to 15 percent of capacity.

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