

AMENDED IN SENATE JULY 15, 2010

AMENDED IN ASSEMBLY MAY 28, 2010

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1988

Introduced by Assembly Member Hagman

February 17, 2010

An act relating to the Chino Valley Unified School District, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

AB 1988, as amended, Hagman. Chino Valley Unified School District: minimum schoolday.

(1) Existing law prescribes the minimum length of time for the instructional school year and the minimum number of instructional minutes per schoolday. Existing law imposes fiscal penalties on school districts and county offices of education that fail to maintain those minimum instructional times per school year or schoolday.

This bill would deem the Chino Valley Unified School District to have offered the minimum number of days of instruction in the 2008–09 school year if the district operates grades 4 to 6, inclusive, in the Dickson Elementary School and the Rolling Ridge Elementary School for 10 additional schooldays for 2 consecutive school years, as specified, and maintains, for each of these 10 days, and for each of those schools, attendance equal to at least 75% of the 2008–09 total enrollment reported to the State Department of Education for grades 4 to 6, inclusive, for each of those schools, as specified.

(2) The California Constitution provides that a special statute is invalid in any case if a general statute can be made applicable.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Chino Valley Unified School District.

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

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

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

1 SECTION 1. (a) For purposes of calculating the penalty
2 pursuant to subdivision (c) of Section 46200 of the Education
3 Code, the Chino Valley Unified School District shall be deemed
4 to have offered 180 days of instruction in the 2008–09 school year
5 if the school district:

6 ~~(a) (1)–~~

7 (1) Operates grades 4 to 6, inclusive, in the Dickson Elementary
8 School and the Rolling Ridge Elementary School for 10 additional
9 schooldays for two consecutive school years, ~~where~~ and each
10 schoolday contains at least 240 instructional minutes for each grade
11 level.

12 ~~(2) For purposes of this subdivision, “two consecutive school~~
13 ~~years” means either the 2009–10 school year and the 2010–11~~
14 ~~school year, or the 2010–11 school year and the 2011–12 school~~
15 ~~year.~~

16 ~~(b)~~

17 (2) Maintains, for each of the 10 additional days of operation
18 and, for each school being operated pursuant to ~~subdivision (a)~~
19 *paragraph (1)*, attendance equal to at least 75 percent of the
20 2008–09 total enrollment reported to the department for grades 4
21 to 6, inclusive, at each school.

22 ~~(c)~~

23 (3) Reaches an agreement, concerning employee compensation
24 for the 10 additional days of operation, with each local bargaining
25 unit representing certificated or classified employees of the district.

26 ~~(d)~~

27 (4) Provides a quality educational program during each of the
28 10 additional days of operation, that includes standards-aligned

1 instruction by highly qualified teachers, class sizes that are
2 approximately the same as those during the rest of the 2008–09
3 school year, and support services that are equivalent to those
4 provided during the rest of the 2008–09 school year. Those support
5 services shall include, but are not limited to, access to computers,
6 library services, counselors, and school nurses.

7 *(b) For purposes of this section, “two consecutive school years”*
8 *means either the 2009–10 school year and the 2010–11 school*
9 *year, or the 2010–11 school year and the 2011–12 school year.*

10 SEC. 2. The Legislature finds and declares that a special law
11 is necessary and that a general law cannot be made applicable
12 within the meaning of Section 16 of Article IV of the California
13 Constitution because of the unique circumstances of the Chino
14 Valley Unified School District.

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

19 In order to resolve the matter involving the minimum schoolday
20 for grades 4 to 6, inclusive, in the Chino Valley Unified School
21 District and to avoid serious economic hardship for the school
22 district, it is necessary that this act take effect immediately.