

AMENDED IN ASSEMBLY JULY 14, 2009

AMENDED IN SENATE MAY 28, 2009

AMENDED IN SENATE MAY 6, 2009

SENATE BILL

No. 193

Introduced by Senator Lowenthal

February 23, 2009

An act to add and repeal Section 52124.2 of the Education Code, relating to class size reduction, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 193, as amended, Lowenthal. Class size reduction: Long Beach Unified School District.

Existing law allows a school district that maintains kindergarten or grades 1 to 3, inclusive, to apply to the Superintendent of Public Instruction for an apportionment to implement a K–3 Class Size Reduction Program. The purpose of the program is to ensure that instruction is received in classrooms where there are not more than 20 pupils. The Controller is required to deduct an amount equal to the amount received by the school district for class size reduction from the district's next principal apportionment or apportionments of state funds if the district does not implement its class size reduction program for all grades and classes for which it received funding.

This bill would authorize the Superintendent to approve funding for the Long Beach Unified School District for the ~~2008–09~~, 2009–10, 2010–11, and 2011–12 school years for a class size reduction program if the class size exceeds 20 pupils, or the class is housed with another class, and specified criteria are met, including criteria relating to closures

on Catalina Island resulting from the May 2007 ~~fires~~ *fire* and resultant debris flow hazard due to weather-related conditions. These provisions would become inoperative on July 1, 2012, and would be repealed on January 1, 2013.

This bill would state the findings and declarations of the Legislature concerning the need for special legislation.

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. Section 52124.2 is added to the Education Code,
2 to read:

3 52124.2 (a) Notwithstanding any other provision of this chapter,
4 the Superintendent may approve funding for the Long Beach
5 Unified School District pursuant to this chapter for the ~~2008–09~~,
6 2009–10, 2010–11, and 2011–12 school years for classes in which
7 the K-3 Class Size Reduction Program is implemented that either
8 exceed 20 pupils or are housed with another class, if the following
9 conditions are met:

10 (1) The school district certifies that the number of pupils enrolled
11 in a district school increased as a direct result of the closures on
12 Catalina Island resulting from the May 2007 fire and resultant
13 debris flow hazard due to weather-related conditions, and this
14 growth increased the number of pupils enrolled in classes in which
15 the K-3 Class Size Reduction Program is implemented.

16 (2) The school district certifies that it lacked sufficient classroom
17 space or credentialed teachers to accommodate the enrollment
18 increase from the closures on Catalina Island resulting from the
19 ~~October~~ May 2007 fire and resultant debris flow hazard due to
20 weather-related conditions.

21 (b) This section shall become inoperative on July 1, 2012, and
22 as of January 1, 2013, is repealed, unless a later enacted statute
23 that is enacted before January 1, 2013, deletes or extends the dates
24 on which it becomes inoperative and is repealed.

25 SEC. 2. The Legislature hereby finds and declares that due to
26 unique circumstances relating to the Long Beach Unified School

1 District, a general statute cannot be made applicable within the
2 meaning of Section 16 of Article IV of the California Constitution.

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

7 In order to provide timely essential relief to the Long Beach
8 Unified School District that may experience a loss of state funding
9 as a result of mandatory fire and weather-related school closings
10 on Catalina Island, it is necessary that this bill take effect
11 immediately.