

**EDUCATION-RELATED LEGISLATION (CHAPTERED)
2008 LEGISLATIVE SESSION**

AB 86 (LIEU)—CHAPTER 646: PUPIL SAFETY

Adds bullying by means of electronic acts to provisions of the Interagency School Safety Demonstration Act and authorizes school officials to suspend or recommend for expulsion pupils who engage in bullying as specified.

1. Expands provisions of the Interagency School Safety Demonstration Act relating to bullying to include acts committed personally or by means of electronic acts.
2. Defines electronic act to mean the transmission of a communication, including but not limited to, a message, text, sound, or image by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.
3. Adds to the list of topics that may be included in regional School/Law Enforcement Partnership Conferences the subject of bullying prevention, including the prevention of acts committed personally or by means of an electronic act.
4. Authorizes school officials to suspend or recommend for expulsion pupils who engage in bullying, including but not limited to, bullying by means of an electronic act.

AB 88 (COMMITTEE ON BUDGET)—CHAPTER 269: BUDGET ACT OF 2008

Makes various changes to AB 1781—the Budget Act of 2008.

Decreases funding for K-14 Education by \$1 billion, thereby eliminating a full cost-of-living adjustment (COLA) for K-14 programs. Also defers the 2008-09 prior-year K-14 settlement payment and makes several other funding shifts—home-to-school transportation and redevelopment pass through—that are necessary to implement the 2008-09 Budget.

AB 97 (MENDOZA)—CHAPTER 207: FOOD FACILITIES: TRANS FATS

Prohibits storing, distributing, serving, or using any food, oil, shortening, or margarine containing artificial trans fats in the preparation of any food within a food facility, effective January 1, 2010, or January 1, 2011, depending on the food product. Exempts food sold or served in a manufacturer's original sealed package. Exempts food provided by public elementary, middle, junior high, or high school cafeterias.

AB 131 (BEALL)—CHAPTER 487: TEACHER CREDENTIALING: SPECIALIST CREDENTIAL: PUPILS WITH AUTISM

Authorizes teachers with a valid Level 1 or clear education specialist teaching credential to provide instruction to pupils who are three and four years of age and who have been diagnosed as autistic.

1. Authorizes a local education agency (LEA) or school to employ and assign an individual to teach pupils who are three and four years of age and who are diagnosed as autistic if the individual holds a valid level 1 or clear education specialist credential and has satisfied one of the following criteria:
 - A. Provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves pupils who are three and four years of age with autism and received a favorable evaluation or recommendation to teach pupils with autism from the local education agency or school; or
 - B. Completed at least three semester units of course work in the subject of special education, early childhood education at a regionally accredited institution of higher education.
2. Requires LEAs and schools to maintain verification of experience or completed course work on file.

AB 519 (COMMITTEE ON BUDGET)—CHAPTER 757: EDUCATION FINANCE

Serves as the education trailer bill for the 2008-09 State Budget.

The major provisions include:

- ▶ Calculates school district and county office of education deficit factors;
- ▶ Authorizes \$112.7 million in federal funds for LEAs in corrective action under No Child Left Behind;
- ▶ Eliminates the Norm Referenced Test in grades 3 and 7;
- ▶ Defers a statutory appropriation of \$150 million for purposes of Proposition 98 prior-year “settle-up”;
- ▶ Extends the current Special Disabilities Adjustment for another year and provides approximately \$81 million for this purpose;
- ▶ Appropriates \$12.5 million from the Public Interest Research Development and Demonstration Fund to expand the number of high school Partnership Academies;
- ▶ Continues to defer \$388.3 million in various program payments included in the second principal apportionment from June 2009 to July 2009;
- ▶ Declares the budgeted cost-of-living adjustment (COLA) rate of zero for various K-12 categorical programs.

AB 830 (MA)—CHAPTER 649: VEHICLES: TRANSPORTATION OF SCHOOL PUPILS

Specifies that a parent may contract with a charter party carrier that operates a vehicle carrying between 11 and 25 persons to or from school-related activities. Also requires the California Department of Education (CDE) to review and, if necessary, revise its training courses and requirements for classroom instruction and behind-the-wheel training to ensure that they appropriately address those vehicles that carry between 11 and 25 persons.

1. Adds an exception to the definition of “school bus” for motor vehicles designed to carry between 11 and 25 persons being used to transport pupils to or from school-related activities according to the following conditions:
 - A. The vehicle is operated by a passenger charter party carrier certified and licensed by the Public Utilities Commission (PUC) that is not under a contractual agreement with a school or school district; and
 - B. The transportation does not duplicate transportation services contracted, arranged, or otherwise provided by the school or school district.

2. Specifies requirements for transporting pupils to or from school-related activities using vehicles it excepts from the school bus definition. These requirements include:
 - A. The driver must have in his or her immediate possession a valid driver's license for the appropriate class of vehicle to be driven endorsed for passenger transportation;
 - B. The driver must have in his or her immediate possession a certificate to drive a school bus or student pupil activity bus (SPAB);
 - C. The driver must have a signed parental authorization form for each pupil to be transported;
 - D. The driver requires each pupil under the age of 21 to sign a statement indicating that he or she understands that he or she may not consume or carry alcohol in the vehicle. If alcohol is consumed by a minor in the vehicle, the driver is required to return the pupils to the point of origin for their ride; and
 - E. The vehicle used to transport pupils undergoes an annual safety inspection conducted by the California Highway Patrol (CHP), for which the CHP may charge a charter party carrier a reasonable fee sufficient to cover the cost associated with the inspection.
3. Provides that a school, school district, or the state is not liable for transportation services provided by a charter party carrier for which the school or school district did not contract, arrange, or otherwise provide.
4. Makes it a misdemeanor if a charter party carrier does not obtain a special driver's certificate and vehicle inspection for the transportation of pupils to or from school-related activities.

AB 876 (DAVIS)—CHAPTER 650: CAREER TECHNICAL EDUCATION

Requests the University of California (UC) and the California State University (CSU) to provide assistance in the development of K-12 Career Technical Education (CTE) courses for the purposes of admission to UC and CSU and to disseminate information about those courses.

AB 1062 (MA)—CHAPTER 653: SCHOOL FACILITIES: UNIFORM STANDARDS: SOLAR DESIGN PLANS

Requires the Department of General Services' (DGS) Division of State Architect (DSA), on or before January 1, 2010, to develop uniform criteria for pre-check approval process for solar design plans, including structural plans and calculations, for school facility projects' compliance with existing law and regulations.

AB 1163 (KREKORIAN)—CHAPTER 655: ADULT EDUCATION

Authorizes school districts to claim and expend up to 5 percent of their adult block entitlement for those programs and more than 5 percent, but no more than 15 percent, of its adult block entitlement if the program is approved by the Superintendent of Public Instruction (SPI).

AB 1279 (COMMITTEE ON BUDGET)—CHAPTER 759: HUMAN SERVICES

Makes statutory changes necessary to implement the Human Services portions of the 2008 Budget Act.

1. Requires, commencing March 1, 2009, the regional market rate ceilings for child care alternative payment (AP) programs and licensed child care providers to be established at the 85th percentile of the 2007 regional market rate survey for that region, and would make conforming changes.
2. Requires the child care market rate survey to be conducted on a biennial rather than annual basis.
3. Prohibits a family eligible for CalWORKs cash aid from being charged a family fee.
4. Modifies the calculation on which child care AP providers are reimbursed for administrative and support services. The new calculation eliminates periodic payments, which were driven by direct child care costs, in favor of a single up front payment based on a designated percentage, not to be permitted to exceed 19 percent, of AP's total contract with the state.

5. Requires the California Department of Education (CDE) to develop an expenditure plan, the Child Care Development Fund (CCDF) Plan, which sets forth the final priorities for child care. Requires the CDE to release a draft of the CCDF Plan by February 1 of the year the plan is due to the federal government, commence a 30-day comment period that would include at least one hearing and the opportunity for written comments, and provide the revised CCDF Plan to designated committees of the Legislature prior to the May budget revisions.
6. Requires the CDE to promote full utilization of child care and development funds and match available unused funds with identified service needs. Requires the CDE to arrange interagency adjustments between different contractors with the same type of contract under specified circumstances.
7. Extends the exemption from the prohibition against charging a fee for fingerprinting applicants who provide foster care or child care services to six or fewer children or to obtain a family day care license through the 2008-09 and 2009-10 fiscal years.

AB 1480 (MENDOZA)—CHAPTER 432: STATE TEACHERS' RETIREMENT: ANNUITY CONTRACTS AND CUSTODIAL ACCOUNTS

Allows the State Teachers' Retirement System (STRS) to offer a Roth Individual Retirement Account for the purpose of rolling over assets held in an annuity contract or custodial account offered by STRS.

AB 1844 (HERNANDEZ)—CHAPTER 369: PUBLIC EMPLOYEE BENEFITS

Implements recommendations made in the final report of the Public Employee Post-Employment Benefits Commission.

1. Deletes the requirement that an agency that provides post-retirement benefits other than public retirement plan pension benefits report specified information in regard to the other post-retirement benefits to the Controller.
2. Makes it a crime for a person to make or present false material statements and representations in connection with Public Employees' Retirement System (PERS), State Teachers' Retirement System (STRS), and the County Employees Retirement System's benefits and applications, or to aid or abet someone in this regard.

AB 1871 (COTO)—CHAPTER 660: TEACHER CREDENTIALING: ENGLISH LANGUAGE DEVELOPMENT AND BILINGUAL-CROSS-CULTURAL COMPETENCE

Authorizes the Commission on Teacher Credentialing to issue authorizations for English language development and bilingual cross-cultural competence to specified holders of credentials who will be serving limited-English-proficient pupils, instead of certificates as provided in current law.

AB 2033 (NUNEZ)—CHAPTER 273: SCHOOL FACILITIES: CHARTER SCHOOLS

Modifies the methodology used by the California School Finance Authority (CSFA) for determining the interest rate on a loan made to a charter school for financing the construction or rehabilitation of a school facility under the Charter School Facility Program.

1. Deletes the requirement that interest be set at the rate paid on monies in the Pooled Money Investment Account (PMIA) as of the date of disbursement of the funding.
2. Authorizes the CSFA to set the interest rate.
3. Requires the CSFA to set the interest rate at the lower of:
 - A. The rate paid on monies in the PMIA as of the date of disbursement of the funding; or
 - B. A rate equal to 50 percent of the interest rate paid by the state on the most recent sale of state-generated obligation bonds computed according to the “true interest cost method.”
4. Prohibits the interest rate from being set at less than 2 percent.
5. Authorizes the retroactive application of the rates to program participants that locked in an interest rate prior to the bill’s enactment.
6. Prohibits renegotiation of the interest rate, without CSFA approval, by program participants executing a loan agreement after the bill’s enactment.

AB 2040 (NÚÑEZ)—CHAPTER 666: HIGH SCHOOL EXIT EXAM

Requires the Superintendent of Public Instruction to create a panel to make recommendations regarding alternative means for pupils with disabilities to demonstrate achievement levels similar to that required to pass the exit exam.

1. Requires the State Board of Education to adopt regulations regarding alternative means by October 1, 2010. Allocates \$1,250,000 of federal funds proposed to support costs. Of that amount, \$200,000 will support the activities of the panel and the remainder will be used pursuant to an expenditure plan developed by the California Department of Education and approved by the Director of the Department of Finance.
2. Provides eligible pupils with disabilities who have fulfilled all of the requirements for a high school diploma except passage of the high school exit exam (HSEE) the opportunity to demonstrate through alternative means that they have achieved the same level of academic achievement required for passage of the HSEE.

AB 2057 (COMMITTEE ON EDUCATION)—CHAPTER 223: EDUCATION Clean-up

Corrects technical errors and oversights, and makes numerous non-controversial and conforming changes to various provisions of the Education Code.

1. Deletes an incorrect reference to county board of education and replaces it with “county committee.” The current reference describes a specific action to be taken by a county committee when it lapses a school district and provides the effective date of that action, but refers to the action as one taken by a county board of education. County boards of education have no authority for any school district organization process, so the current language has no applicability.
2. Deletes obsolete provisions relating to the definition of “beginning teachers” and makes conforming changes.
3. Updates a section of the Education Code to state that independent study may be one of the options available for which a teacher may provide consent for assignment.
4. Updates a cross-reference to reflect the number of areas in a diversified major. The Education Code was amended in 1987 to expand the “diversified” or “liberal arts” program to include 85 semester hours, or its equivalent, across 10 subject areas.

However, one area of current law lists only four areas and was not changed to reflect the 10 areas.

5. Deletes obsolete provisions prohibiting the Commission on Teacher Credentialing (CTC) from approving district intern programs and requiring CTC to review district intern programs on the basis of standards related to the quality of the training, support, evaluation, and performance of district interns.
6. Deletes the reference to the Commission for Teacher Preparation and Licensing and replaces it with the “CTC.”
7. Clarifies that a “guardian” cited in the definition of “parent” of an individual with exceptional needs, as defined in the Education Code, includes a “responsible adult” as referenced in the Welfare and Institutions Code for a dependent child of the court, and clarifies that the definition of “parent” applies to other sections where the term is defined.
8. Aligns sections of law relating to the special education time lines with the primary Education Code sections that establish those time lines.
9. Clarifies that regional occupational centers and programs are to come into compliance with plans for course sequencing and adult average daily attendance limits and remain in compliance for the entire fiscal year. Current law uses the term “on or before” followed by a date, which has proved to be ambiguous.
10. Changes the certification for compliance with the ban on trans fats and fried foods in school meals from a one-time certification to an annual certification. If schools are to receive the higher reimbursement rate for complying with these restrictions, schools should demonstrate that they remain in compliance.

AB 2070 (BASS)—CHAPTER 482: FOSTER CARE: INCARCERATED PARENTS

Increases the time reunification services may be available to parents whose children are dependents of the court in consideration of barriers faced by parents who are incarcerated, institutionalized, or in residential substance abuse treatment to accessing services.

AB 2197 (MULLIN)—CHAPTER 128: SCHOOL FACILITIES

Requires a school district to notify the county superintendent and county auditor prior to the governing board's approval of the issuance of certificates of participation or other debt instruments secured by real property that is not approved by the voters.

1. Deletes the authority of a school district or a county board of education to approve the issuance of COPs prior to notifying the county superintendent of schools and the county auditor, or the SPI, respectively
2. Requires a school district governing board, no later than 30 days before approving the issuance of COPs or other debt instruments secured by real property that do not require voter approval, to notify the county superintendent of schools and the county auditor.
3. Requires a county board of education, no later than 30 days before approving the issuance of COPs or other debt instruments secured by real property that do not require voter approval, to notify the SPI.
4. Initiates the current law requirements for providing repayment schedules and evidence of ability to repay, as well as the authority to comment by the respective reporting entity prior to issuance of the COPs or other specified debt.
5. Adds the requirement that the school district or the county office of education provide information necessary to assess the anticipated effect of the debt issuance and to disclose issuance costs.
6. Expands the prohibitions on the use of funds obtained from specified sources of general operating purposes of the district to include certificates of participation or other debt instruments that are secured by real property and do not require the approval of the voters of the districts.

AB 2202 (CABALLERO)—CHAPTER 261: PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Requires every employer participating in the Public Employees Retirement System (PERS) to provide specified information to PERS concerning the employment of retired annuitants and other employees not currently mandated into PERS coverage, such as part-time, seasonal, temporary employees, and allows PERS to enter into an agreement with a contracting agency to terminate inactive member groups.

AB 2246 (VILLINES)—CHAPTER 762: CHARTER SCHOOLS: JPA: FUNDING

Establishes a formula to allow the apportionment of revenue limit funding for pupil attendance in classes operating pursuant to a joint powers agreement and authorizes the Center for Advanced Research and Technology, which is operated pursuant to a joint powers agreement, to receive charter school general purpose funding for 2005-06 and 2006-07.

1. Provides that, commencing in 2008-09, the minimum school day for a pupil concurrently enrolled in regular secondary school classes and charter school classes operating pursuant to a joint powers agreement that became effective prior to January 1, 2008, is 180 minutes and provides further that a pupil must attend the full 180 minutes of class to generate a "day of attendance" for purposes of funding.
2. Provides that the 180-minute school day described above will generate only three-quarters (75 percent) of a day of attendance for the purpose of calculating average daily attendance (ADA) but that the ADA generated by the charter school may be claimed as part of a school district's ADA.
3. Contains specific attendance accounting and apportionment provisions relating to the CART charter school operated under a joint powers agreement between the Clovis Unified School District and the Fresno Unified School District.

AB 2300 (LAIRD)—CHAPTER 673: SCHOOL LUNCH AND BREAKFAST PROGRAMS: DIRECT CERTIFICATION

Streamlines the application process for students who are eligible for the school meal programs by allowing schools to use Medi-Cal enrollment data to verify income rather than having school employees collect wage stubs and other paper verification from families.

Directs the California Department of Education (CDE), in consultation with the California Department of Health Care Services (DHCS), to develop and implement a process to use Medi-Cal participation data to verify and directly certify children into the National School Lunch and School Breakfast programs (school meal programs), upon receipt of federal funds to support implementation.

AB 2302 (BASS)—CHAPTER 41: TEACHER CREDENTIALING: SPECIALIST CREDENTIAL: PUPILS WITH AUTISM

Authorizes school districts to assign holders of a Level I education specialist teaching credential for mild to moderate disabilities to teach pupils with autism until the Commission on Teacher Credentialing adopts revised regulations for the credential.

1. Authorizes a local education agency (LEA) or school to assign a teacher who holds a credential authorizing the instruction of students with mild and moderate disabilities to serve students with autism if the teacher meets one of the following criteria:
 - A. Has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves pupils with autism and received favorable evaluation or recommendation to teach pupils with autism from the local education agency or school; or
 - B. Has completed a minimum of three semester units of course work in the subject of autism at a regionally accredited institution of higher education.
2. Requires LEAs and schools to maintain verification of completed course work on file and report teacher assignment based on these options in their assignment monitoring program.

3. Becomes inoperative two years after the CTC adopts regulations to modify current education specialist credential requirements or on August 31, 2011, whichever comes first, and is repealed on January 1, 2012.

AB 2390 (KARNETTE)—CHAPTER 494: STATE TEACHERS' RETIREMENT: POSTRETIREMENT EARNINGS

Extends to June 30, 2010, the sunset date of various provisions of the State Teachers' Retirement System (STRS) law which allow certain K-12 teachers, community college teachers, and certificated employees of county offices of education to work full-time after retirement and receive their STRS benefit at the same time. In addition, retroactively allows STRS members who retired in 2007 to purchase STRS credit for service performed in an educational institution located in a foreign country that receives at least a portion of its funding from public sources, and service performed in a Department of State school.

AB 2391 (SOLORIO)—CHAPTER 239: TEACHERS: MATHEMATICS AND READING PROFESSIONAL DEVELOPMENT PROGRAM

Expands the permissible activities that may be undertaken in the Mathematics and Reading Professional Development Program by allowing teachers to receive up to half of their follow-up training in data analysis and its effect on increasing pupil achievement.

AB 2604 (TORRICO)—CHAPTER 246: DEVELOPER FEES

Allows local agencies to defer the collection of developer fees up to the close of escrow, with the exception of school impact fees.

AB 2720 (LEVINE)—CHAPTER 148: ENVIRONMENTAL IMPACT REPORT

Makes technical, nonsubstantive changes to the California Environmental Quality Act regarding the siting of school facilities near or on hazardous waste sites or near facilities emitting hazardous emissions.

AB 2759 (JONES)—CHAPTER 308: STATE PRESCHOOL PROGRAMS: REFORM

Consolidates all the early childhood education programs into one State Preschool Program (CSP). CSP will streamline funding with the intent of expanding preschool options, increase program availability, and reduce administrative costs.

1. Renames the State Preschool Program to the CSP and defines “CSP” as part-day and full-day educational programs for low-income or otherwise disadvantaged three- and four-year-old children.
2. Deletes the requirement that the State Superintendent of Public Instruction (SPI) administer all California state preschool programs in accordance with specified funding priorities, and instead requires the SPI to administer all CSP programs.
3. Requires a part-day program to operate for a minimum of three hours per day, excluding time for home-to-school transportation, for a minimum of 175 days per year, unless the contract specifies a lower number of days of operation.
4. Specifies that three- and four-year-old children are eligible for the part-day program if the family meets one of the following eligibility criteria:
 - A. The family is a current social service aid recipient;
 - B. The family is income eligible;
 - C. The family is homeless; or
 - D. The family has children who are: (1) recipients of protective services; (2) identified as being abused, neglected, or exploited; or (3) at risk of being abused, neglected, or exploited.
5. Specifies that a part-day CSP program may provide services to children in families whose income is no more than 15 percent above the income eligibility threshold after all eligible three- and four-year-old children have been enrolled, provided that no more than 10 percent of children enrolled, calculated throughout the participating program's entire contract, may be filled by children in families above the income eligibility threshold.

6. Specifies that three- and four-year-old children are eligible for the full-day program if the family meets at least one of the criteria specified in item 5, above, and needs the child care services for one of the following reasons:
 - A. The child is identified by a legal, medical, social services agency as: (1) a recipient of protective services; (2) being or at risk of being neglected, abused, or exploited; or
 - B. The parents are: (1) engaged in vocational training; (2) employed or seeking employment; (3) seeking permanent housing; or (4) incapacitated.
7. Deletes the requirement that reimbursement for state preschool programs be on a per capita basis, as determined by the SPI, and instead requires a full-day CSP program to operate full-time determined by the number of hours necessary to meet the child care and development needs of families, for a minimum of 246 days per year, unless the contract specifies a lower number of days of operation.
8. Requires fees to be assessed and collected for families with children in full-day CSP and prohibits fees from being assessed for families whose children are enrolled in the part-day CSP.
9. Requires the California Department of Education (CDE) to annually monitor funding utilized in general child care and development programs for infants and toddlers, and hours of service provided in the CSP, and requires the CDE to annually report to the Department of Finance and to the Legislature a statewide summary identifying the estimated funding utilized for infants and toddlers, and the number of preschool age children receiving part-time and full-time development services. Also requires the annual report to include a comparison to the prior year on a county-by-county basis.
10. Requires the SPI to encourage CSP contracting agencies to offer full-day services to parents who have a qualifying need and specifies the following:
 - A. Part-day services shall be reimbursed on a per capita basis, as determined by the SPI;
 - B. Full-day services shall be reimbursed at no more than the standard reimbursement rate with adjustment factors; and
 - C. Federal Head Start funds used to provide services to families receiving California state preschool services shall be deemed nonrestricted funds.

11. Specifies that a part-day program contracting agency may enroll families into their program 120 days prior to the first day of the beginning of a new preschool year and that once enrolled, the child shall be deemed eligible for the part-day program the remainder of the year.
12. Makes the following changes to the Prekindergarten and Family Literacy (PKFL) program:
 - A. Restricts eligibility for funding to participating programs that were eligible to receive funding in the 2007-08 fiscal year; and
 - B. Authorizes programs receiving PKFL program funding to participate in all CSP programs.
13. Specifies that this bill becomes operative on July 1, 2009.

AB 2838 (DUVALL)—CHAPTER 470: STATE EMPLOYMENT: SERIOUS ILLNESS: PURCHASE OF SERVICE CREDIT

Allows a member of the Public Employees Retirement System who was on an uncompensated leave of absence due to serious illness, to purchase service credit for that period of absence upon his or her return to employment, whether the leave occurred before or after the effective date of the legislation.

AB 2855 (HANCOCK)—CHAPTER 685: CAREER TECHNICAL EDUCATION: PARTNERSHIP ACADEMIES: GREEN TECHNOLOGY AND GOODS MOVEMENT

Establishes two new categories of partnership academies, the Green Technology Partnership Academies and the Goods Movement Partnership Academies, commencing with the 2009-10 school year if funds become available.

AB 2932 (KARNETTE)—CHAPTER 149: INSTRUCTIONAL MATERIALS: SUBMISSIONS: CRITERIA

Requires instructional materials for foreign language and health to be submitted for adoption in 2012 and 2013 respectively and shortens the time between the adoption of framework and criteria and the adoption of instructional materials for the next history/social science and science adoptions.

ACR 114 (FULLER)—CHAPTER 155: HOME-TO-SCHOOL TRANSPORTATION

Requests the Superintendent of Public Instruction (SPI) to convene a committee to investigate cost savings and best practices for school districts operating home-to-school transportation programs.

1. Makes findings regarding the importance of home-to-school transportation in ensuring attendance and finds that due to the decline in the state's reimbursement payments as a percentage of cost, school districts, particularly small rural districts, must subsidize unreimbursed transportation costs from district general funds, which reduces funding for classroom expenditures and will lessen a district's ability to provide services to meet high academic standards.
2. Resolves that the SPI is requested to convene a committee to investigate cost savings and best practices for districts operating home-to-school transportation programs and invite representatives from the Legislative Analyst's Office, the fiscal management and assistance team of districts offering home-to-school transportation, and county offices of education (COEs) to become members of the committee.
3. Resolves that any relevant findings or recommendations that occur as a result of the committee's investigation are requested to be posted on the California Department of Education's (CDE) Internet web site.

SB 344 (MACHADO)—CHAPTER 3: STATE AND LOCAL GOVERNMENTS: PUBLIC FINANCE

Provides that the purchase or other acquisition of bonds by or on behalf of the state or a local government that issued the bonds does not cancel, extinguish, or otherwise affect the bonds. States that the bonds shall be treated as outstanding bonds for all purposes, except to the extent otherwise determined by the issuer or otherwise provided in the constituent instruments defining the rights of the bond holders.

SB 564 (RIDLEY-THOMAS)—CHAPTER 381: PUBLIC SCHOOL HEALTH CENTER SUPPORT PROGRAM

Expands the definition of “school health centers” and requires the State Department of Public Health (DPH), to the extent funds are appropriated for implementation of the Public School Health Center Support Program, to establish a grant program to provide technical assistance and funding for the expansion, renovation, and retrofitting of existing school health centers and the development of new school health centers.

SB 588 (RUNNER)—CHAPTER 704: POSTSECONDARY EDUCATION: COMMUNITY COLLEGE SCHOOL BUILDINGS

Provides for alternative building standards for the California Community Colleges, mirroring those applying to the California State University, while keeping plan check and oversight responsibilities with the Department of General Services (DGS).

SB 602 (TORLAKSON)—CHAPTER 32: PHYSICAL EDUCATION

Clarifies that a pupil may be granted an exemption from physical education courses if the pupil has met five of the six standards of the physical education performance test.

SB 658 (ROMERO)—CHAPTER 271: SCHOOL FACILITIES

Phases out the Year-Round School Grant Program over five years. Funds for the program would be reduced 20 percent per year, with the program eliminated in the 2012-13 fiscal year, and shifts these funds to the Charter School Facility Grant program.

SB 691 (CALDERON)—CHAPTER 730: JUNK DEALERS AND RECYCLERS: NONFERROUS MATERIAL / AB 844 (BERRYHILL)—CHAPTER 731: JUNK DEALERS AND RECYCLERS: NONFERROUS MATERIAL

Requires junk dealers and recyclers to comply with additional record-keeping requirements and new payment restrictions when purchasing nonferrous materials (i.e., copper, copper alloys, stainless steel, and aluminum, excluding beverage containers).

Prohibits a junk dealer or recycler from providing payment for nonferrous material unless the payment is made by cash or check, the check is mailed, or the cash or check is provided no earlier than three days after the date of sale, and the dealer or recycler obtains a photograph or video of the seller and certain other identifying information, including the thumbprint of the seller, to be retained by the dealer or recycler for a certain period of time; the bill would provide certain exceptions to these requirements.

SB 890 (SCOTT)—CHAPTER 472: PUPILS: EARLY COLLEGE COMMITMENT PROGRAM

Establishes the Early Commitment to College (ECC) Program, a voluntary program that would be administered by the Superintendent of Public Instruction (SPI). Districts volunteering to participate in this program would be required to undertake a variety of activities aimed at increasing high school completion rates and motivating pupils to take rigorous college preparatory or career technical course work.

1. Encourages a school district that chooses to participate in the ECC program to implement it district wide and requires a school district to provide college information to pupils in grades 6-9 who sign the “Save Me a Spot in College” pledge.
2. Requires a participating school district to certify that a pupil has taken the pledge. Tracks pupils enrolled in the ECC program by reporting participation and outcome data as specified by the Superintendent of Public Instruction (SPI).
3. Requires the SPI to do the following:
 - A. Identify schools for the program (targeting 30 percent of public middle and high schools with the highest poverty rates);
 - B. Develop the pledge;

- C. Consult with CCC, the University of California (UC), the California State University (CSU), and the California Student Aid Commission (CSAC);
 - D. Perform other administrative duties, including developing letters to participating pupils outlining college and financial aid information, as specified;
 - E. Recommend to the Legislature by November 1, 2017, whether the ECC should be continued, as specified.
4. Specifies that a pupil who signs the pledge commits to do the following:
- A. Meet all high school graduation requirements;
 - B. Enroll in college prep course work (i.e., A-G courses);
 - C. Seek to achieve proficiency in English and mathematics;
 - D. Complete and file a FAFSA;
 - E. Meet application requirements for university admission or enroll directly in a CCC within 12 months of high school graduation.
5. Requires school districts, through existing programs, to provide information and services through middle and high school years, including transcript reviews, financial aid information, and college admission requirements.

SB 946 (SCOTT)—CHAPTER 473: COMMUNITY COLLEGE EARLY ASSESSMENT PROGRAM

Authorizes the individual results of the California Standards Test to be provided to the California Community Colleges so that the Early Assessment Program may be expanded to include participation by prospective community college students.

SB 1104 (SCOTT)—CHAPTER 576: TEACHER CREDENTIALING

Repeals the authority of the Commission on Teacher Credentialing to issue a two-year preliminary designated subjects teaching credential upon the completion by an applicant of certain specified requirements.

Streamlines requirements for the preliminary-designated subjects career technical education teaching credential, and changes the name of the clear designated subjects adult education credential in order to make it conform to the naming structure of the credentials for career technical education.

SB 1105 (MARGETT)—CHAPTER 577: TEACHER CREDENTIALING: CRIMINAL CONVICTIONS

Authorizes a credential holder whose credential has not been revoked as a result of a misdemeanor sex offense that does not require registration as a sex offender to apply for reinstatement of his or her credential if the accusation or information against the holder has been dismissed and he or she has been released from all disabilities and penalties resulting from the offense.

Expands the definition of “conviction” when applied to suspending or revoking teaching credentials to include pleas of nolo contendere, allows the Commission on Teacher Credentialing to make adverse action findings available for up to five years, as specified, and requires the Legislature to convene a workgroup to study sections 44010, 44011, and 44424 of the Education Code, and to report on its findings before December 1, 2009.

SB 1110 (SCOTT)—CHAPTER 578: TEACHER CREDENTIALING: REVOCATION OF CREDENTIAL

Requires the Commission on Teacher Credentialing to suspend the credential of a holder when it receives notice that another state has taken final action to revoke a credential or license authorizing the holder of the credential to perform any duty in the public schools of another state. The suspension would not take effect until the Commission verifies that the underlying acts of misconduct in the other state could result in a revocation of a credential in this state.

SB 1112 (SCOTT)—CHAPTER 515: CLASS SIZE REDUCTION: APPORTIONMENTS

Permanently extends the Class-Size Reduction Program (CSR) flexibility provisions that allow districts to exceed the 20:1 pupil/teacher ratio and still receive partial CSR funding, which were scheduled to sunset on July 1, 2009.

SB 1160 (ALQUIST)—CHAPTER 484: CHILDREN’S SOCIAL SERVICES PROGRAMS

Simplifies the California Work Opportunity & Responsibility to Kids Program (CalWORKs) reapplication process for relative caregivers of foster children when they move to a new county. Extends the sunset date for the Youth Pilot Program (YPP).

SB 1168 (RUNNER)—CHAPTER 390: HEALTH CARE COVERAGE: DEPENDENT CHILDREN

Provides that a health plan or insurer may not terminate coverage for a dependent child who is over 18 years of age and enrolled at a secondary or postsecondary educational institution if the child takes a medically necessary leave of absence from school.

SB 1186 (SCOTT)—CHAPTER 518: TEACHER CREDENTIALING

Exempts specified teacher credential candidates from the CBEST and clarifies requirements for teacher preparation and development programs.

1. Requires a school district to recruit a candidate who is scheduled to complete preliminary credential requirements within six months, if a fully prepared teacher is not available, as specified.
2. Exempts the following applicants from taking the CBEST:
 - A. An applicant who achieves scores on the writing, reading, and mathematics sections of the College Board SAT Reasoning Test, the enhanced ACT test, or the California State University (CSU) Early Assessment program that are sufficient to waive the English placement test and the entry level mathematics examination administered by CSU;
 - B. An applicant for an eminence credential, as specified.
3. Modifies the grant criteria for the Alternative Certification program to require school districts to demonstrate the following: (a) the need for more fully prepared credentialed teachers, and (b) the number of credentialed teachers, with at least a

preliminary credential, at each schoolsite where interns will be assigned, including teachers serving as mentors under the Certificated Staff Mentoring Program.

4. Specifies that the holder of a preliminary clear designated subjects career technical education teaching credential is not required to pass the CBEST.

SB 1197 (ALQUIST)—CHAPTER 519: REGIONAL OCCUPATIONAL CENTERS: JOINT POWERS AUTHORITIES: FUNDING

Requires, commencing in fiscal year 2009-10, regional occupational centers and programs (ROC/Ps) established and maintained by joint powers agencies (JPAs) to receive funding directly from the county office of education (COE) in which it is located instead of receiving funds from each of the school districts participating in the JPA.

SB 1207 (SCOTT)—CHAPTER 113: PUBLIC SCHOOLS: OPEN ENROLLMENT POLICIES

Updates statutes requiring a school district to have an open enrollment policy under which a parent of a pupil may select a school, within the district, but outside of the attendance area in which the pupil resides. The bill provides that a district shall determine the capacity of its schools based on enrollment and available space, and eliminates a district's discretion to close a school to transfers solely based upon the district's policy.

1. Removes the ability of school districts to refuse to accept transferred pupils at schools based solely on a "policy" declaration that the school has no capacity to accept transfers.
2. Provides that the capacity of the schools in the district, for purposes of this bill, shall be calculated in a nonarbitrary manner using pupil enrollment and available space.
3. Requires school districts to provide transportation to transferring pupils if requested by the pupil's parent or guardian and if required and funded by federal law.
4. Repeals outdated language referring to pupils in the class of 1994.

**SB 1251 (STEINBERG)—CHAPTER 710: SCHOOL ACCOUNTABILITY: ACADEMIC PERFORMANCE
INDEX: GRADUATION RATES**

Adds partial credit for pupils who graduate high school in five or six years to the calculation of each high school's Academic Performance Index.

1. Adds five-year graduation rates and six-year graduation rates to the four-year graduation rates that are to be included within the API of schools, specifying how to calculate the five- and six-year graduation rates.
2. Provides that schools receive half credit for pupils graduating in five years, compared to full credit for pupils graduating in four years.
3. Provides that schools shall receive one quarter credit for pupils graduating in six years, compared to full credit for pupils graduating in four years.
4. Grants full API credit to schools for the five-year or six-year graduation of pupils with disabilities who have Individualized Education Plans.

SB 1274 (WYLAND)—CHAPTER 523: PATRIOTIC EXERCISES AND INSTRUCTION

Provides that when instruction related to the Pledge of Allegiance to the Flag of the United States of America is given in a public school, it satisfies the requirements that patriotic exercises be conducted.

1. Specifies that instruction that promotes understanding the concepts of "pledge," "allegiance," "republic," and "indivisible," and understanding the importance of the Pledge as an expression of patriotism, love of country, and pride in the United States of America satisfies the requirement that patriotic exercises be conducted.
2. Provides that when pupils are instructed in a public school with regard to the words in the Pledge, the public school shall provide a combination of the giving of the Pledge and the instruction described above.

SB 1298 (SIMITIAN)—CHAPTER 561: CALIFORNIA EDUCATION INFORMATION

Requires the Legislative Analyst's Office to convene a staff working group to make recommendations to the Legislature by June 1, 2009, regarding the governance of education data. This measure also requires the California Department of Education, the Chancellor's Office of the California Community Colleges, the University of California, and the California State University, to maintain unique statewide pupil identifiers as part of the California Longitudinal Pupil Achievement Data System (CALPADS). This measure establishes a process by which local educational agencies issue, maintain, and report information using the unique statewide pupil identifiers for state and federally funded center-based child care and development programs.

1. Establishes the Education Data and Information Act of 2008.
2. Requires the California Department of Education (CDE) to establish a process by which local education agencies (LEA) issue, maintain, and report information using the unique Statewide Student Identifiers (SSID) being used in the California Longitudinal Pupil Achievement Data System (CALPADS) for state and federally funded center based child care and development programs administered by the CDE, but prohibits requiring those programs to implement or maintain the SSIDs until an appropriation for this purpose is provided.
3. Requires each of the three public higher education systems to:
 - A. Establish a process by which colleges and universities within those systems issue, maintain, and report information using SSIDs;
 - B. Annually on or before April 1, provide the Governor and the appropriate policy and fiscal committees of the Legislature with a report that includes a detailed timeline for the implementation, maintenance, and use of the SSIDs.
4. Requires the State Chief Information Officer (CIO) to:
 - A. Convene a working group, representing the Superintendent of Public Instruction (SPI), the State Board of Education, the three systems of California public higher education, and any other governmental entities that collect, report, or use individual education data that would become part of the comprehensive educational data system, to develop a strategic plan that would provide an overall structural design for the linked data system, examine current state education data

systems, and examine the interdepartmental data protocols and procedures to be used by state agencies in collecting, storing, manipulating, sharing, retrieving, and releasing data in order to enable the linking of data systems.

- B. Form a committee that includes school and district administrators to be advisory to the working group in paragraph A, above.
 - C. Deliver the strategic plan to the Legislature and the Governor on or before September 1, 2009.
5. Requires the Commission on Teacher Credentialing (CTC), State Board of Education (SBE), and CDE to provide the CIO with non-personally identifiable individual or aggregate educational data in an agreed upon format, in a timely manner according to an agreed upon schedule, and at no cost to the CIO.
 6. Requires that all state and local agencies, and their officers and appointees, comply with all state and federal privacy laws with respect to the responsibilities imposed by this bill.
 7. States legislative intent to convene a staff level working group that is representative of the policy and fiscal staff of both houses of the Legislature and both parties, the Governor's office, the SPI, the Legislative Analyst's Office (LAO), and all three systems of California public higher education; requires the working group to make recommendations related to the governance of educational data, including, but not limited to, the organizational structure of the governing entity, its relationship to other agencies, the scope of its authorities and responsibilities, methods for holding the governing entity accountable, and methods for ensuring that the governing entity's work primarily serves the purposes of educational improvement at the same time as ensuring the privacy of any data under its charge.
 8. Applies the provisions of this bill to the University of California (UC) only if the Regents of the UC make them applicable by resolution.

SB 1303 (RUNNER)—CHAPTER 579: SCHOOL EMPLOYEES: LEAVES OF ABSENCES

Narrows the conditions in which school employees who are placed on mandatory leave of absences for certain drug-related offenses and who complete a drug diversion program may be compensated for the period of leave upon their return to work.

1. Specifies that employees placed on compulsory leave who do not elect to furnish bond or other security acceptable to the governing board of the district shall be compensated for the period of leave if they are acquitted of the offense or charges against the employee are dismissed “without his or her guilt being established.”
2. Specifies that if the charges against an employee are dismissed as a result of the employee's successful completion of a drug diversion program, upon the employee's return to service in the school district, the school district shall, at the employee's election, pay to the employee any accrued leave and differential pay pursuant to Education Code sections 44977, 45195, and 45196, for up to the length of the employee's compulsory leave.

SB 1370 (YEE)—CHAPTER 525/2008: EDUCATION: FREEDOM OF SPEECH AND OF THE PRESS

Prohibits an employee from being dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for acting to protect a student engaged in speech or other communication that is protected by specified provisions of the United States Constitution and the California Constitution. Permits a student to bring a civil action in the event the prohibition against restriction on student speech is violated.

1. Existing law grants to public school pupils the right to exercise freedom of speech and of the press, as specified. Existing law also prohibits districts operating high schools from making or enforcing a rule that subjects a high school pupil to disciplinary sanctions solely on the basis of conduct that is speech or other communication that is protected by specified provisions of the United States Constitution and the California Constitution. A pupil enrolled in a school that has made or enforced a rule in violation of this prohibition is authorized to commence a civil action for injunctive and declaratory relief.
2. Specifies that the authority to commence a civil action applies to a pupil who is enrolled at the time the secondary educational institution made or enforced a rule in violation of the prohibition.
3. Prohibits an employee from being dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a pupil engaged in conduct authorized by a specified provision of state law or refusing to infringe upon conduct that is protected pursuant to state law or those constitutional provisions.

4. States that it is the intent of the Legislature that nothing in sections 48907 or 48950 of the Education Code shall be construed to diminish a district's ability to take actions authorized by current law in order to maintain instruction that is consistent with the statewide academic standards defined in Art 2 (commencing with section 60604) of Chapter 5 of Part 33 of Division 4 of Title 2 of the Education Code.

SB 1378 (DUTTON)—CHAPTER 143: TEACHERS: PROFESSIONAL DEVELOPMENT

Authorizes school districts to use a portion of their Professional Development Block Grant funds to provide suicide prevention training to teachers.

SB 1437 (PADILLA)—CHAPTER 718: EDUCATION TECHNOLOGY: CALIFORNIA VIRTUAL CAMPUS: PUPILS OF PUBLIC HIGH SCHOOLS: COMMUNITY COLLEGE ENROLLMENT.

Establishes in statute the California Virtual Campus and deems the California Community Colleges to be qualifying schools for the California Teleconnect Fund program administered by the Public Utilities Commission. Also extends to January 1, 2014, the sunset date for exemptions to the cap on the percentage of pupils that K-12 school principals may recommend for enrollment at community colleges during summer sessions.

SB 1457 (STEINBERG)—CHAPTER 474: GOLDEN STATE SCHOLARSHARE TRUST ACT: CALSAVE PROGRAM

Establishes the California Scholarshare Advancement Vehicle for Education (CalSAVE) program within the Scholarshare trust to fund scholarships for beneficiaries to be determined by the Scholarshare Investment Board.

SB 1629 (STEINBERG)—CHAPTER 307: STATE PRESCHOOL PROGRAMS: EARLY LEARNING QUALITY IMPROVEMENT SYSTEM ADVISORY COMMITTEE

Establishes the Early Learning Quality Improvement System Advisory Committee to develop recommendations on how to evaluate and improve the quality of child development programs providing services from birth to age five, including preschool, and establishes a framework for future resources necessary to achieve and maintain higher quality programs.

SB 1637 (TORLAKSON)—CHAPTER 530: THE CALIFORNIA TECHNOLOGY ASSISTANCE PROJECT

Extends the sunset date of the California Technology Assistance Project from January 1, 2009, until January 1, 2014.

SB 1638 (ALQUIST)—CHAPTER 531: JUVENILE COURT SCHOOLS

Encourages each county superintendent and the county chief probation officer to enter into a memorandum of understanding, or an equivalent agreement, that supports a process for collaboration, exchanging information, and dispute resolution relating to the delivery of educational services to pupils in juvenile court schools.

1. Provides that the MOU or equivalent mutual agreement may include, but is not limited to, the following provisions:
 - A. Mutually developed goals and objectives that are reviewed annually, including, but not limited to specified components;
 - B. Clear delineation of responsibilities among educational and residential or custodial service providers;
 - C. A process for communicating, collaborating and resolving conflicts, which may include the appointment of a working group responsible for establishing and maintaining open communication, collaboration and resolution of issues that arise;
 - D. A clearly identified mechanism for resolving conflicts;
 - E. A joint process for performing an intake evaluation for each ward to determine educational needs and ability to participate in all educational settings once the ward enters the local juvenile facility, and requires the evaluation team to include staff from the responsible educational agency and the county probation department.
2. Prohibits the MOU or equivalent mutual agreement from ceding responsibility or authority prescribed by statute or regulation from one party to another unless mutually agreed upon by both parties.

SB 1660 (ROMERO)—CHAPTER 276: TEACHERS: COMPENSATION

Authorizes a school district to expend Professional Development Block Grant funds to compensate new and existing mathematics, science, and special education teachers in schools ranked in deciles 1, 2, or 3 of the Academic Performance Index in a manner separate from the salary schedule.

SB 1666 (CALDERON)—CHAPTER 726: CRIME: SCHOOL ZONES

Makes minor definitional changes to Penal Code provisions to clarify that “schools” includes public or private schools. Expands the definition of “safe school zone” from within 1,000 feet of a school to within 1,500 feet of a school.

SB 1732 (ROMERO) CHAPTER 125: BROWN ACT: DISCUSSIONS BETWEEN BOARD MEMBERS

Prohibits a majority of members of a legislative body of a local agency (including school boards) from using, outside a meeting, a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

1. Expresses legislative disapproval of the decision in *Wolfe v. City of Fremont* (2006) 144 Cal.App.4th 533, which held that a violation of the prohibition occurs only if a series of meeting by members of a body results in a collective concurrence.
2. Provides that the changes made by this amendment shall not be construed as preventing an employee or official of a local agency from engaging in separate conversations or communications, outside of a meeting, with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the body.

SCA 13 (ASHBURN)—CHAPTER 144: STATE FINANCE

Proposes to place a resolution before the people of California for an amendment to the Constitution relating to state finance.

1. Increases the size of the Budget Stabilization Account from 5 percent of General Fund revenue to 12.5 percent.
2. Restricts the use of “April Surprise” revenue by requiring that any unanticipated prior-year growth (exceeding 105 percent of the January estimate) be directed to first meeting the Proposition 98 constitutional obligations, and that the remainder be transferred to the Budget Stabilization Fund.
3. Requires the annual Governor's Budget to identify one-time revenues.
4. Requires that transfers from the Budget Stabilization Fund back to the General Fund for expenditure be in a stand-alone bill with no unrelated provisions.
5. This bill is linked with SB 1080 which is proposed to provide similar statutory changes to implement these budget reforms.