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MEMORANDUM

Date: June 18, 2019

To: CAFE Board of Directors

From: Martha Zaragoza Diaz, Lobbyist

Subject: Report on 2019-2020 State Budget

Cc: Jan Gustafson, Chief Executive Officer

The state currently has a \$21.5 billion surplus, providing flexibility to the legislature to call for spending on priorities such as increasing affordable housing. The California legislature passed a \$214.8 billion budget deal on June 13, 2019 with significant spending for public schools, homelessness and increased health care access.

Under the \$214.8 billion spending plan, the state steps closer to establishing universal health coverage and expanding access to health care by providing Medi-Cal to all low-income young adults regardless of immigration status. The Legislature also started a path to increase tax credits for the working poor and boost subsidies to middle-income Californians for the purpose of buying health coverage. There were significant investments in early education and housing, also, while a portion of the surplus was diverted to pay down pension liabilities.

With regards to paying down debt and pension obligations, the legislature approved governor's proposal to use some of the surplus to make extra pension payments, a step the governor stated was necessary in order to begin addressing the state's \$256 billion retirement liability for state workers and teachers.

The Legislature approved supplemental payments towards the unfunded pension liability to relieve school districts across the state, the Legislature will contribute a total of \$3.15 billion toward paying down their liabilities and reducing their payroll contribution rates. One difference is where it will go.

Please note that a portion of that funding will be given to CalPERS. This change was made in recognition that while teachers are members of CalSTRS, many

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Martha Zaragoza-Diaz

other school employees from janitors to bus drivers belong in the state's other public employee pension fund.

The new 2021-2022 also provides a \$20 billion reserve from several rainy-day funds in order to be prepared to meet the costs of natural or manmade disasters and provide coverage for the state in a moderate recession.

Legislators are still working out final details of some aspects of the budget through budget trailer bills, which can be passed after the main budget bill. But the 2021-2022 state budget passed on June 13, 2021 provides the major framework for state spending in the next fiscal year, which starts July 1, 2021.

The budget bill is now on the governor's desk. Governor Newsom has 12 days to sign or veto the bill. He can also eliminate parts of the budget through line item vetoes, also referred to as line items that were "blue penciled".

Highlights of the 2021-2022 State Budget: K-12 education Component

- **Proposition 98**
 - Adopts an overall Proposition 98 funding level of \$81.1 billion in 2021-22, \$78.1 billion in 2020-21 and \$75.6 billion in 2019-20, consistent with the Governor's May Revision.
 - Provides a payment of \$389 million in Proposition 98 funding into the Public School System Stabilization Account (PSSSA).

- **Other**
 - Provides \$3.15 billion in non-Proposition 98 General Fund for both CalSTRS and CalPERS to make payments on behalf of local educational agencies to help address their rising pension costs. Provides \$2.25 billion for CalSTRS and \$900 million for CalPERS, based on the portion of payroll at each system.
 - Includes \$2 billion in ongoing Proposition 98 for a 3.26 percent COLA for the Local Control Funding Formula (LCFF) for school districts and charter schools, consistent with the Governor's May Revision.
 - Provides a total of \$152.6 million in ongoing Proposition 98 funding to bring all LEAs to the statewide base rate for special education funding and \$493.2 million to provide grants to LEAs serving three and four year olds with Individualized Education Plans. Adopts trailer bill language to require ongoing funding to be contingent upon the passage of legislation in 2022-23 budget to reform the special education system to improve outcomes for students.
 - **Adopts Supplemental Reporting Language requiring the Legislative Analyst's Office to convene a workgroup to examine how the state can better support low-performing students and**

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- **specifically the lowest performing student subgroups. Requires the LAO to report to the Legislature by February 1, 2020 on the working group's findings and recommended options for providing support to help close the achievement gap.**
- Provides \$50 million in Proposition 63 funding (\$10 million of this is ongoing) for the Mental Health Student Services Act to provide competitive grants to partnerships between county mental or behavioral health departments and school districts, charters schools and county offices of education.
- Provides \$50 million in ongoing Proposition 98 funding to increase rates for the After-School Education and Safety (ASES) program.
- Approves the Governor's May Revision proposal to provide a 3.26 percent COLA for certain categorical programs outside the LCFF, including Special Education, Child Nutrition, State Preschool, Youth in Foster Care, the Mandates Block Grant, American Indian Education Centers and the American Indian Early Childhood Education Program. Also provides a 3.26 percent COLA and makes ADA changes for county offices of education.
- **Provides \$38.1 million in one-time non-Proposition 98 funding for the Educator Workforce Investment Grant to provide competitive grants for professional learning opportunities for teachers and paraprofessionals. Of this funding, \$10 million is for professional development for the English Learner Roadmap, \$5 million is for special education related professional development and the remainder is for other areas, including ethnic studies.**
- **Approves the Governor's May Revision proposal to provide \$13.8 million in ongoing federal funds for the 21st Century California School Leadership Academy, administered by the Department of Education and the California Collaborative for Educational Excellence (CCEE) to provide professional development for school administrators and other school leaders. Approves the May Revision proposal to dedicate \$150,000 in federal funds for one position for CDE and \$200,000 for the CCEE to administer the program.**
- Provides \$6.7 million in one-time non-Proposition 98 General Fund for the Department of Education to transfer to the University of California for the California Subject Matter Projects. Allocates funding to the nine projects as follows: \$1.3 million each for Writing, Reading and Literature, Mathematics, and Science, with the balance split equally among the remaining five projects.
- Prohibits charter schools from discouraging students from enrolling in a charter school or encouraging students to disenroll from a charter school on the basis of academic performance or student characteristic,

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- or from obtaining specified student information prior to enrollment. Allows a charter school that exists as of July 1, 2019 and that operates in partnership with the California National Guard, may dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the California Military Department.

CDE's State Operations

- \$1.778 million in ongoing non-Proposition 98 General Fund and 13 positions for increased workload associated with the expansion of early education programs.
- **\$279,000 in one-time General Fund for the Instructional Quality Commission to update content standards and curriculum frameworks for visual and performing arts and world languages and develop model curriculum in ethnic studies.**
- Approves the Governor's May Revision proposal to provide \$178,000 (\$154,000 ongoing) to support maintenance of the California School Dashboard and the School Accountability Report Card.
- Approves the Governor's proposed trailer bill language to extend the hold-harmless funding provisions to school districts and charter schools that experienced attendance losses as a result of the 2018 wildfires through 2020-21. Also approves the Governor's proposal to backfill wildfire affected basic aid school districts for property tax losses in 2018-19 and 2019-20.
- Approves the Governor's proposed trailer bill language to improve transparency and comparability by requiring that local indicators reflect school site-level data, if it is currently collected statewide by CDE.
- Approves the Governor's January budget proposal to provide \$350,000 one-time Proposition 98 funding for the State Board of Education to contract with the San Joaquin County Office of Education to merge the Dashboard, LCAP electronic template, and other local school site and school district reports into a single web-based application
- **Specifies the state priorities that charter schools need to address in their Local Control and Accountability Plans (LCAPs), and clarifies that charter LCAPs need to be adopted at a public hearing and prominently posted online, and that charter schools are required to translate reports and notices if 15 percent or more of their students enrolled speak a primary language other than English.**
- **Approves the proposed trailer bill language to expand the list of non-waivable sections of law to include all Education Code sections that pertain to the LCFF apportionment calculations. Apportionment statutes are not subject to waiver by the State Board of Education.**
- **Approves the May Revision proposed trailer bill language to make technical amendments to clarify the schoolsite council requirements**
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- **for schools and local educational agencies, in line with the provisions of AB 716 (Chapter 471, Statutes of 2018).**

Early Childhood Education

- Provides \$80.5 million in ongoing Proposition 64 funding for 8,162 alternative payment child care vouchers. Provides \$50 million in one-time General Fund for 3,086 General Child Care slots.
- Provides \$300 million in one-time General Fund for the Full-Day Kindergarten Facilities Grant program. Approves the Governor's proposed trailer bill language to prioritize schools converting part-day to full-day Kindergarten programs and allow for any remaining grant funding to be used for other one-time costs to implement the full-day kindergarten program. Amends the trailer bill language to ensure that the Full-Day Kindergarten Facilities Grant program is an incentive program and does not impact a district's eligibility in the School Facility Program.
- Approves the Governor's May Revision proposal to provide 10,000 full-day State Preschool slots for non-LEAs beginning April 1, 2020. Allocates \$31 million in ongoing non-Proposition 98 General Fund in 2019-20 and approximately \$125 million in 2020-21 to annualize these additional slots.
- Adopts trailer bill language to expand eligibility for the State Preschool program to include all families that live in a school attendance area where 80 percent or more students qualify for Free or Reduced Price Meal (FRPM).
- Adopts trailer bill language to eliminate the work requirement for full-day State Preschool, but provides priority for working families. o Approves the Governor's proposal to shift Proposition 98 funding for part-day State Preschool at non-local educational agencies to the non-Proposition 98 General Fund.
- **Provides \$195 million in one-time non-Proposition 98 General Fund for the Early Learning and Care Workforce Development Grants Program. Adopts trailer bill language to expand trainings and support activities to a broad range of providers and specifies stipends and professional development is aligned with the Quality Counts California professional development system.**
- Provides \$5 million in one-time General Fund for the Secretary of Health and Human Services, in concurrence with the executive director of the State Board of education and the Superintendent of Public Instruction, to contract for research on specified areas of child care and early education system to be completed no later than October 1, 2020.
- **Allocates \$2.2 million General Fund annually for three years to establish the Early Childhood Policy Council to continue and build on the work of the Assembly Blue Ribbon Commission on Early Childhood Education.**

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- Adopts trailer bill language for the Council to include a parent advisory committee and a workforce advisory committee in order to advise the Governor, Legislature and Superintendent on working toward the recommendations outlined in the Blue-Ribbon Commission report and the Early Care and Education Master Plan.**
- Provides \$10 million in one-time General Fund for CDE to implement a data system for state-funded early childhood education programs.
 - Includes \$10 million in one-time General Fund for various departments, including the Department of Education, the Department of Social Services, the Public Employment Relations Board and the Human Resources Department for data collection and implementation of child care organizing.

California Student Aid Commission

- Approves placeholder trailer bill language to remove statutory language limiting AB 540 students' access to the competitive Cal Grant program. This action will allow AB 540 students the same opportunity at a competitive Cal Grant as other students.
- **Rejects the May Revise proposal to create the Teacher Service Credit Scholarship Program with \$89.8 million one-time General Fund. Instead establishes the Golden State Teacher Grant Program with the funding. The program will award one-time grant funds of up to \$20,000 to students in educator preparation programs with their commitment to teach in a subject area impacted by the teacher shortage. The student must commit to teach for four years in the high-need subject area after the student receives their teaching credential. The subject areas are: Bilingual Education, Special Education, Science, Technology, Engineering and Math (STEM).**
- Approves May Revision caseload adjustments for Cal Grant, Middle Class Scholarship and other aid programs.

Commission on Teacher Credentialing

Defers to the policy process the Governor's proposed trailer bill language related to teacher assignment monitoring

University of California

- Approves the Governor's Budget proposal to provide \$10 million ongoing General Fund to support 2018-19 enrollment growth beyond the enrollment target.
- Approves the Governor's Budget proposal to provide \$5.3 million ongoing General Fund to support student mental health services.

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- Provides \$49.9 million ongoing General Fund to support enrollment growth of 4,860 undergraduate students.
- Provides \$2.5 million one-time General Fund to support equal employment opportunity practices.
- Provides \$1.9 million one-time General Fund to support the Statewide Database.
- **Provides \$6 million one-time General Fund to allow UC to conduct outreach activities to low-income students.**
- **Provides \$4 million General Fund in each of the next three years to support financial aid for low-income students attending summer courses.**
- Provides \$2 million one-time General Fund to support Asian American and Asian Diaspora Studies in the Department of Ethnic Studies at UC Berkeley.
- Provides \$2.5 million one-time General Fund to support the Luskin School of Public Affairs Latino Policy and Politics Initiative at UCLA.

California State University

- Approves the Governor's Budget proposal to provide \$147.8 million ongoing General Fund to support compensation increases.
- Provides \$85 million ongoing General Fund to support enrollment growth, and budget bill language setting enrollment targets of 10,000 additional California undergraduate students.
- **Approves budget bill language directing CSU to use \$35 million to hire full-time, tenure track faculty above and beyond the CSU's 11,228 current tenure-track faculty. The CSU shall give consideration to qualified existing lecturers that apply for tenure-track faculty positions. CSU shall use best practices related to equal employment opportunity practices in hiring strategies. The CSU shall report to the Legislature, no later than Dec. 1, 2020, and then beginning November 2021 and every two years thereafter until funds are fully allocated, on how the funding allocated in this provision was spent to increase the number of tenure-track faculty. In addition, the CSU shall provide the Legislature a plan for allocating the new moneys to campuses and their expected hiring amounts by October 2019. Also includes budget bill language directing CSU to use evidence-based Equal Employment Opportunity practices to improve faculty diversity so that it more reflective of the student population.**
- Provides \$3 million one-time from Proposition 63 state administration account to support student mental health services.
- **Provides \$3 million one-time General Fund to establish the Center for Closing the Achievement Gap.**

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- **Provides \$6 million General Fund in each of the next years to support low-income students taking summer courses.**

California Community Colleges

- Approves the Governor's Budget proposal to provide a second year of tuition waivers for first-time, full-time students – the College Promise Program. Approves the May Revision adjustment to the cost of this proposal, to \$42.6 million ongoing Proposition 98 General Fund.
- Provides \$7 million one-time Proposition 63 state administration fund to support student mental health services.
- Provides an augmentation of \$5 million ongoing Proposition 98 General Fund for veterans resource centers. Also provides \$750,000 one-time Proposition 98 General Fund to expand the Norco College VRC and \$1.5 million one-time Proposition 98 General Fund to expand the Mira Costa College VRC.
- Provides \$1 million one-time Proposition 98 General Fund each to Fresno, Bakersfield, Mendocino, Modesto, and San Bernardino community colleges, and \$750,000 one-time Proposition 98 General Fund to Norco community college to improve workforce development programs.
- **Provides \$1.5 million one-time Proposition 98 General Fund to support the Community College Teacher Credentialing Pilot Project.**

I am reading all of the relevant budget trailer bills and have included some of the budget trailer bill language at the end of this report as Attachment A.

Please note, that the language provided is not all of the budget trailer bill language. More information can be gleaned by referring to AB 75 and SB 75 which are the education budget trailer bills.

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Martha Zaragoza-Diaz

ATTACHMENT A
AB 75: EDUCATION FINANCE: EDUCATION OMNIBUS TRAILER BILL

The following budget trailer bill language may be of interest to you. I have "**bolded**" language that I believe would be of interest to you.

EC. 84.

*(a) For the 2019–20 fiscal year, the sum of thirty-eight million one hundred thousand dollars (\$38,100,000) is hereby appropriated from the General Fund to the State Department of Education to allocate in a manner consistent with subdivision (b) to coordinate and **support professional learning opportunities for educators across the state.***

(b) (1) Of the funds appropriated in subdivision (a), two hundred fifty thousand dollars (\$250,000) is available each fiscal year through the 2022–23 fiscal year, and one position is authorized within the State Department of Education, to support the activities described in subdivision (c).

(2) Of the funds appropriated in subdivision (a), thirty-seven million one hundred thousand dollars (\$37,100,000) is available through the 2022–23 fiscal year to provide one or more grants consistent with subdivision (d).

(c) The California Computer Science Coordinator is hereby created as a position in the State Department of Education to provide statewide coordination in implementing the computer science content standards developed pursuant to Section 60605.4 of the Education Code, supporting activities funded pursuant to this section, and leading the implementation of the computer science strategic implementation plan, following the plan's adoption by the State Board of Education.

*(d) (1) **The Educator Workforce Investment Grant Program** is hereby established to support one or more competitive grants for professional learning opportunities for teachers and paraprofessionals across the state.*

(2) The State Department of Education and the California Collaborative for Educational Excellence shall establish a process, administered by the State Department of Education, to select, subject to approval by the executive director of the State Board of Education, one or more institutions of higher education or nonprofit organizations with expertise in developing and providing professional learning to teachers and paraprofessionals in public schools serving kindergarten and grades 1 to 12, inclusive, to conduct the activities described in paragraphs (3), (4), and (5) in a manner that aligns with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code. The State Department of Education shall give positive consideration to applicants that propose to partner with a county office of education or consortium of county offices of education.

(3) Of the amount described in paragraph (2) of subdivision (b), the State Department of Education and the California Collaborative for Educational Excellence shall provide ten million dollars

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(\$10,000,000) in grants for professional learning activities designed to implement the California English Learner Roadmap Policy: Educational Programs and Services for English Learners adopted by the State Board of Education in July 2017 (EL Roadmap). Professional learning opportunities under this portion of program may include, but are not limited to, all of the following:

(A) Building capacity among school leaders to implement the EL Roadmap.

(B) Implementing instructional practices that effectively develop academic content knowledge, discipline-specific practices, academic language, integrated and designated English language development, and bilingual and biliterate proficiency.

(C) Identifying and emphasizing high-quality models for professional development regarding the EL Roadmap, including, but not necessarily limited to, providing coaching for principals, teacher leadership, and the implementation of other models to best meet the needs of school leaders.

(D) Establishing alignment and articulation of the EL Roadmap across and within school district systems.

*(4) Of the amount described in paragraph (2) of subdivision (b), the State Department of Education and the California Collaborative for Educational Excellence shall provide five million dollars (\$5,000,000) in **grants for special education-related professional development, including, but not limited to, all of the following:***

(A) Inclusive practices for general education and special education settings, including a universal design for learning to help educators teach all pupils regardless of ability and teaching models that support these practices, including coteaching.

(B) General procedures for identifying individuals with exceptional needs and developing appropriate individualized education programs for these pupils.

(C) Alternative dispute resolution procedures.

(D) Strategies for supporting pupils with particular disabilities in a general education setting.

(E) Support for pupils with overlapping educational needs, particularly those with an individualized education program who are also identified as English learners.

(5) Of the amount described in paragraph (2) of subdivision (b), the State Department of Education and the California Collaborative for Educational Excellence shall provide twenty-two million one hundred thousand dollars (\$22,100,000) to entities selected pursuant to paragraph (2) that are able, collectively, to deliver professional learning for teachers and paraprofessionals statewide within all of the following areas:

(A) Strategies to support social-emotional learning.

(B) Practices to create a positive school climate, including restorative justice.

(C) Strategies for providing high-quality instruction and computer science learning experiences aligned to the computer science content standards developed pursuant to Section 60605.4 of the Education Code.

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(D) Practices to support the ethnic studies model curriculum developed pursuant to Section 51226.7 of the Education Code.

(6) In developing the process for selecting grantees, the State Department of Education and the California Collaborative for Educational Excellence shall, to the greatest extent practicable, facilitate coordination among the grantees and the subject matter projects authorized pursuant to Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3 of the Education Code.

(e) By March 15 of each year, the State Department of Education and the California Collaborative for Educational Excellence shall report to the appropriate policy and fiscal committees of the Legislature, the Department of Finance, and the Governor on the process for awarding grants, the name of each grant recipient, the amount awarded to each grant recipient, the activities provided with grant funds, and, if available, the number of schools served and the number of educators served.

SEC. 85.

(a) The sum of thirty-six million dollars (\$36,000,000) is hereby appropriated from the General Fund to the Controller for allocation by the State Department of Education for the Classified School Employee Summer Assistance Program established pursuant to Section 45500 of the Education Code. Moneys appropriated pursuant to this section shall be available for expenditure and encumbrance through the 2021–22 fiscal year.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202 of the Education Code, for the 2009–10 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202 of the Education Code, for the 2009–10 fiscal year.

SEC. 58.

Article 5.1 (commencing with Section 69617) is added to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 5.1. Golden State Teacher Grant Program

69617.

(a) Subject to moneys appropriated by the Legislature for the purposes of this section, the Student Aid Commission shall administer the Golden State Teacher Grant Program. Under the program, the Student Aid Commission shall provide one-time grant funds of twenty thousand dollars (\$20,000) to each student enrolled on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential, approved

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by the Commission on Teacher Credentialing, if the student commits to working in a high-need field at a priority school for four years after the student receives the teaching credential.

(b) The total number of one-time grant awards issued pursuant to this section shall not exceed 4,487.

(c) (1) A grant recipient shall agree to teach in a high-need field at a priority school for four years and shall have five years, upon completion of the recipient's preparation program, to meet that obligation. Except as provided in paragraph (4), a grant recipient shall agree to repay the state five thousand dollars (\$5,000) annually, up to full repayment of twenty thousand dollars (\$20,000), for each year the recipient fails to do one or more of the following:

(A) Be enrolled in or have successfully completed a teacher preparation program approved by the Commission on Teacher Credentialing.

(B) While enrolled in the teacher preparation program, maintain good academic standing.

(C) Upon completion of the teacher preparation program, satisfy the state basic skills proficiency test requirement pursuant to Sections 44252 and 44252.5.

(D) Complete the required teaching service following completion of the recipient's teacher preparation program.

(2) Nonperformance of the commitment to teach in a high-need field at a priority school for four years shall be certified by the State Department of Education.

(3) Nonperformance of the commitment to earn a preliminary teaching credential in a high-need field shall be certified by the Commission on Teacher Credentialing to the Student Aid Commission.

(4) Any exceptions to the requirement for repayment shall be defined by the Student Aid Commission, and may include, but shall not necessarily be limited to, counting a school year towards the required four-year teaching requirement if a grant recipient is unable to complete the school year when any of the following occur:

(A) The grant recipient has completed at least one-half of the school year.

(B) The employer deems the grant recipient to have fulfilled the grant recipient's contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.

(C) The grant recipient was not able to teach due to the financial circumstances of the school district, including a decision to not reelect the employee for the next succeeding school year.

(D) The grant recipient has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601 et seq.) or similar state law.

(E) The grant recipient was called or ordered to active duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(d) For purposes of this section, "high-need field" means any of the following:

(1) Bilingual education.

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(2) Mathematics or science, technology, engineering, and mathematics (STEM), including career technical education in STEM areas.

(3) Science.

(4) Special education.

(5) Multiple subject instruction.

(6) Other subjects as designated annually by the Commission on Teacher Credentialing based on an analysis of the availability of teachers in California pursuant to Section 44225.6.

(e) (1) A "priority school" means a school with a high percentage, as determined by the Commission on Teacher Credentialing in consultation with the State Department of Education, of teachers holding emergency-type permits, based on the most recent data available to the Commission on Teacher Credentialing and the State Department of Education. By January 1, 2020, the Commission on Teacher Credentialing shall publish a list of priority schools.

(2) For purposes of this section, "emergency-type permits" include, but not are limited to, any of the following:

(A) Provisional internships.

(B) Short-term staff permits.

(C) Credential waivers.

(D) Substitute permits.

SEC. 10.

Article 13.1 (commencing with Section 8280) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 13.1. Early Learning and Care Infrastructure and Workforce Development

8280.1.

(a) The Superintendent shall administer the **Early Learning and Care Workforce Development Grants Program** to expand the number of qualified early learning and care professionals and increase the educational credentials of existing early learning and care professionals across the state, pursuant to this section.

(b) (1) There is hereby appropriated one hundred ninety-five million dollars (\$195,000,000) to the department from the General Fund for the competitive workforce development grants program established pursuant to this section to be released according to the following schedule:

(A) For the 2019–20 fiscal year, one hundred twenty-nine million dollars (\$129,000,000).

(B) For the 2020–21 fiscal year, twenty-two million dollars (\$22,000,000).

(C) For the 2021–22 fiscal year, twenty-two million dollars (\$22,000,000).

(D) For the 2022–23 fiscal year, twenty-two million dollars (\$22,000,000).

(2) The Director of Finance may change the release of funds scheduled in subparagraphs (A) to (D), inclusive, of paragraph (1), if deemed necessary. The director shall notify the Chairperson of the Joint Legislative Budget

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Martha Zaragoza-Diaz

Committee, or the chairperson's designee, of the director's intent to notify the Controller of the necessity to change the release of funds scheduled in paragraphs (A) to (D), inclusive, of paragraph (1). The total amount released shall not be greater or lesser than the amount appropriated in paragraph (1). The Controller shall make the funds available to the department not sooner than five days after receipt of this notification.

(3) Notwithstanding Section 16304 of the Government Code, of the amount appropriated for this program in this subdivision, the Superintendent shall allocate the funds available for the grants through the 2023–24 fiscal year, in approximately equal amounts each fiscal year.

(c) The Superintendent shall award and administer the workforce development grants to local, regional, or local and regional quality improvement partnerships, as defined by the Superintendent, consistent with the Quality Rating and Improvement System local consortia, as defined in Section 8203.1, representing all counties of the state. A local, regional, or local and regional quality improvement partnership may form a consortia with one or more regional partners. All local, regional, or local and regional quality partnerships shall submit a plan to the department that describes how they will allocate funds and increase the number, qualifications, and competencies of early learning and care professionals in their county or region. The plan shall also describe how local partnerships will engage in collaborative partnerships with their members, local governmental agencies, businesses, nonprofit organizations, or other interested partners to improve the educational attainment of early learning and care professionals in their county or region, including those working in centers, family childcare homes, and license-exempt settings that serve a majority of children who receive subsidized early learning and care services or are eligible to received subsidized early learning and care services, pursuant to this chapter.

(d) Workforce development grant award amounts shall be determined based on the following criteria:

(1) Demonstrated need for early learning and care professionals in each county or region.

(2) The cost of living in each county or region.

(3) The number of children under 13 years of age in each county or region who are in a family whose income is up to 85 percent of the state median income.

(e) Workforce development grants may be used for costs associated with the educational expenses of current and future early learning and care professionals that move those professionals along the early learning and care career lattice and support their attainment of increased education or English language proficiency, as well as professional development in early childhood instruction, child development, including developing competencies in serving children with exceptional needs and dual language learners. Allowable uses of funds include:

(1) Tuition, supplies, and other related educational expenses.

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(2) *Transportation and childcare costs incurred as a result of attending classes.*

(3) *Substitute teacher pay for early learning and care professionals that are currently working in a subsidized early learning and care setting.*

(4) *Stipends and professional development expenses, aligned to the Quality Counts California professional development system in that area, as determined by the Superintendent.*

(5) *Career, course, and professional development coaching, counseling, and navigation services.*

(6) *Other educational expenses as determined by the Superintendent.*

(f) *Local, regional, or local and regional quality improvement partnerships awarded funding pursuant to this section may partner with local or online accredited higher education institutions, local agencies that provide high-quality, credit-bearing trainings, or apprenticeship programs that integrate and embed higher education coursework with on the job training of professionals.*

(g) *The Superintendent may set aside no more than 1 percent of the total funding appropriated for the Early Learning and Care Workforce Development Grants Program to provide technical assistance and support for grantees and potential grantees on developing proposals for and implementing workforce development grants.*

(h) *Local, regional, or local and regional quality improvement partnerships receiving grants shall commit to providing program data to the department, as specified by the Superintendent, including, but not limited to, recipient information, educational progress and employment status, and participate in overall program evaluation.*

(i) *The Superintendent shall provide a report to the Governor as well as the appropriate policy and fiscal committees of the Legislature by October 1, 2020, and annually thereafter through the 2023–24 fiscal year, on the expenditure of funds as well as relevant outcome data in order to evaluate the impact of the program.*

(j) *The competitive workforce development grants program established pursuant to this section shall be funded from funds appropriated in this section.*

(k) *Notwithstanding any other provision of this section, the Superintendent, with the concurrence of the executive director of the state board, shall recommend to the Department of Finance and the budget committees of the Legislature by January 1, 2021, any changes to the funding methodology in this section related to the recommendations and priorities provided pursuant to Section 8207.*

SEC. 11.

Article 14 (commencing with Section 8286) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code is repealed.

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Martha Zaragoza-Diaz

SEC. 12.

Article 14 (commencing with Section 8286) is added to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, to read:

Article 14. Early Childhood Policy Council

8286.

*(a) **The Early Childhood Policy Council** is hereby established to advise the Governor, the Legislature, and the Superintendent on statewide early learning and care policy, including the planning for, and the implementation and evaluation of, the state's Master Plan for Early Learning and Care and the 2019 California Assembly Blue Ribbon Commission on Early Childhood Education Final Report.*

*(b) (1) The council shall maintain at least two ongoing standing advisory committees: **a parent advisory committee** appointed pursuant to subdivision (e) and a **workforce advisory committee** appointed pursuant to subdivision (f).*

(2) The council shall include 27 members who shall be appointed as follows:

(A) Fourteen members appointed by the Governor, including those required pursuant to Section 9837b of Title 42 of the United States Code. One of the Governor's appointees shall be the chairperson of the council.

(B) Four members appointed by the Speaker of the Assembly.

(C) Four members appointed by the Senate Committee on Rules.

(D) One member appointed by the Superintendent.

(E) Two members of the parent advisory committee, appointed by that committee.

(F) Two member of the workforce advisory committee, appointed by that committee.

(3) Members of the council shall include stakeholder representatives reflecting the comprehensive childcare system; represent the ethnic, racial, and language diversity of the state; and represent geographic diversity and those communities separated from opportunity due to poverty, racial bias, language, geographic isolation, disability, and other factors.

(4) Members of the council shall serve terms of three years and no member may serve more than two terms.

(5) To the extent funding for the council is provided in the annual Budget Act, language interpretation services shall be provided at convenings of the council and its committees to ensure language access and meaningful participation.

(6) To the extent funding for the council is provided in the annual Budget Act, members of the council or its committees who are provider participants or parent representatives shall be reimbursed as necessary for their reasonable expenses, including travel, a stipend to cover childcare costs, lost wages, and expenses for substitutes for attending council meetings.

(c) The council shall do all of the following:

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Martha Zaragoza-Diaz

(1) Convene at least four public meetings per year. These meetings shall provide access for participants throughout the state.

(2) Advise the Governor and perform activities required pursuant to Section 9837b of Title 42 of the United States Code.

(3) Prepare a formal public annual report on the work of the council.

(4) Provide specific recommendations directly to the Governor, the Legislature, and the Superintendent on all aspects of the state's early childhood education system, including on the following topics:

(A) Equity, with consideration for demographic, geographic, and economic diversity, and with a focus on family-centered two-generation approaches.

(B) Opportunities to incorporate a support model of accountability, as opposed to a compliance model of accountability, into the state's early childhood education system.

(C) Ways that the state's Master Plan for Early Learning and Care and the 2019 California Assembly Blue Ribbon Commission on Early Childhood Education Final Report can be updated and improved.

(d) Staff for the council and its committees shall be provided by the California Health and Human Services Agency. From funding appropriated for purposes of this section, up to three hundred thousand dollars (\$300,000)

may be used by the California Health and Human Services Agency for the costs to provide staff for the council and its committees.

(e) (1) The parent advisory committee shall be a standing committee of the council.

(2) The members and the cochairs of the parent advisory committee shall be appointed by the Governor, the Legislature, and the Superintendent.

(3) Committee members shall include parent participants of the childcare subsidy system, including those receiving subsidies through vouchers and contracted Title 5 programs, those on a subsidy waiting list, and those paying privately.

(4) The parent advisory committee shall provide recommendations to the council and other entities on all aspects of early childhood education, including all of the following:

(A) Equity, access, and best practices for engaging families.

(B) Creating warm and welcoming care environments.

(C) How to develop local and state partnerships to support the best outcomes for families that interact with the state's early childhood education system.

(f) (1) The workforce advisory committee shall be a standing committee of the council.

(2) The members and the cochairs of the workforce advisory committee shall be appointed by the Governor, the Legislature, and the Superintendent.

(3) Committee members shall include licensed family childcare providers, family, friend, and neighbor childcare providers, center-based teachers and directors from subsidized and nonsubsidized childcare programs, and statewide organizations representing childcare providers.

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Martha Zaragoza-Diaz

(4) The workforce advisory committee shall provide recommendations to the council and other entities on all aspects of early childhood education on an ongoing basis

SEC. 26.

Article 5 (commencing with Section 44690) is added to Chapter 3.1 of Part 25 of Division 3 of Title 2 of the Education Code, to read:

Article 5. 21st Century California School Leadership Academy

44690.

(a) The Legislature finds and declares all of the following:

(1) Skilled school and school district leaders are critical for building a strong and stable workforce, and for making the important shifts in practice envisioned by the local control funding formula and the Common Core State Standards.

(2) Strong leadership is a key predictor of pupil achievement, and highly skilled leadership is critical to successful improvement efforts for local educational agencies and schools.

(3) The roles of principals and other school leaders have evolved considerably since the California School Leadership Academy was first established more than three decades ago, with a broad range of knowledge, skills, and competencies needed to successfully support success for the diverse learners served in California public schools.

(4) Focused investments in leadership development for principals and other school leaders will benefit pupils and staff at California's public schools and, ultimately, improve outcomes for pupils.

(b) The 21st Century California School Leadership Academy is hereby established.

(c) (1) The department and the California Collaborative for Educational Excellence shall establish a process, administered by the department, to organize and offer professional learning opportunities, and to select, subject to approval by the executive director of the state board, providers of high-quality professional learning for administrators and other school leaders to receive grants in a manner that ensures the availability of professional learning through the 21st Century California School Leadership Academy, free of charge, to local educational agencies that receive federal Title II funds on a statewide basis.

(2) In designing professional learning opportunities and in selecting grantees pursuant to this section, the department and the California Collaborative for Educational Excellence shall ensure that professional learning provided through the 21st Century California School Leadership Academy includes all of the following:

(A) Training and coaching for principals and other school leaders in critical areas identified by the department and the California Collaborative for Educational Excellence, in consultation with the executive director of the state board.

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(B) Training mentors for novice principals and teachers.

(C) Training coaches to support leaders in high-need settings.

(D) Training for central office leaders, principals, and other school leaders, including teacher leaders, involved in school improvement efforts.

(3) Professional learning opportunities may include, but are not necessarily limited to, coaching and training around supporting effective standards-aligned instruction and other instruction that promotes critical thinking, inclusive practices, social-emotional learning, restorative practices and other alternative behavioral programs, implementing effective language acquisition programs for English learners, strategies for addressing performance gaps among pupil groups, leveraging wraparound services to support healthy development of pupils, civic engagement, building collegial environments, effectively engaging parents and guardians, and using resources provided by the department related to the California Assessment of Student Performance and Progress system established pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 of Division 4, such as formative or interim assessments, to improve outcomes for pupils.

(4) In designing and offering professional learning opportunities and in selecting grantees pursuant to this section, the department and California Collaborative for Educational Excellence shall ensure that professional learning is provided through the 21st Century California School Leadership Academy in a manner that is consistent with the statewide system of support pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4.

(d) Grantees eligible to be selected pursuant to this section shall be limited to local educational agencies, institutions of higher education, and nonprofit educational services providers.

(e) Priority for professional learning through this program may be given to school districts and county offices of education eligible to receive differentiated assistance pursuant to Sections 52071 and 52071.5 and schools identified for comprehensive support as described in Section 1003(e)(1)(B) of the federal Every Student Succeeds Act.

(f) (1) Grants shall be awarded for a term not to exceed three years.

(2) The department and the California Collaborative for Educational Excellence shall evaluate the professional learning opportunities offered or funded through the 21st Century California Leadership Academy for their effectiveness. The process for selecting grantees shall ensure that grantees identify metrics to measure the effectiveness of the professional learning provided and under which the grantees will be evaluated in performing the duties specified in this section.

(3) At the conclusion of each grant term, the department and the California Collaborative for Educational Excellence may renew the selection of the grantees or reopen the selection process in a manner consistent with subdivision (c).

(4) Before renewing the selection of a grantee, the department and the California Collaborative for Educational Excellence shall evaluate the

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grantee's performance relative to the metrics identified pursuant to paragraph (2) and the grantee's success in fulfilling the purposes of this section.

(g) Grantees receiving funds pursuant to this section shall provide program information to, and as needed by, the department and the California Collaborative for Educational Excellence as a condition of receiving the funds.

SEC. 29.

Section 47604.33 of the Education Code is amended to read:

47604.33.

(a) Each charter school shall annually prepare and submit the following reports to its chartering authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority:.....

(4) (A) A charter school shall not discourage a pupil from enrolling or seeking to enroll in the charter school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2).

(B) A charter school shall not request a pupil's records or require a parent, guardian, or pupil to submit the pupil's records to the charter school before enrollment.

(C) A charter school shall not encourage a pupil currently attending the charter school to disenroll from the charter school or transfer to another school for any reason, including, but not limited to, academic performance of the pupil or because the pupil exhibits any of the characteristics described in clause (iii) of subparagraph (B) of paragraph (2). This subparagraph shall not apply to actions taken by a charter school pursuant to the procedures described in subparagraph (J) of paragraph (5) of subdivision (b).

(D) The department shall develop a notice of the requirements of this paragraph. This notice shall be posted on a charter school's internet website. A charter school shall provide a parent or guardian, or a pupil if the pupil is 18 years of age or older, a copy of this notice at all of the following times:

(i) When a parent, guardian, or pupil inquires about enrollment.

(ii) Before conducting an enrollment lottery.

(iii) Before disenrollment of a pupil.

(E) (i) A person who suspects that a charter school has violated this paragraph may file a complaint with the chartering authority.

(ii) The department shall develop a template to be used for filing complaints pursuant to clause (i).

(5) Notwithstanding any other law, a charter school in operation as of July 1, 2019, that operates in partnership with the California National Guard may

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dismiss a pupil from the charter school for failing to maintain the minimum standards of conduct required by the Military Department.

SEC. 55.

Article 6.5 (commencing with Section 56836.39) is added to Chapter 7.2 of Part 30 of Division 4 of Title 2 of the Education Code, to read:

Article 6.5. Special Education Early Intervention Preschool Grant

56836.39.

The Legislature finds and declares all of the following:

- (a) A quality education ensures that pupils receive appropriate interventions and services as needed before the pupil falls behind academically.*
- (b) Early intervention services and supports provided to children who are at risk of falling significantly behind, including children with disabilities, can reduce the need for additional services in future years.*
- (c) Pupils with disabilities who are taught within the general education classroom with supports and systematic instruction achieve better outcomes in the areas of academics, communication, and behavior.*
- (d) In order to ensure the success of pupils with disabilities, additional resources for early intervention and preschool should be provided to school districts to support young learners with disabilities and those at risk of requiring related services.*

56836.40.

(a) For any fiscal year in which moneys are appropriated for purposes of this section, the Superintendent shall make the following computations to determine the amount of funding for each school district for the special education early intervention preschool grant:

- (1) For each school district, determine the total number of preschool children with exceptional needs.*
 - (2) The sum of the totals determined pursuant to paragraph (1) is the total statewide number of preschool children with exceptional needs for the current fiscal year.*
 - (3) Calculate a per pupil special education early intervention preschool grant by dividing the amount appropriated in the annual Budget Act for purposes of this section by the total number of preschool children with exceptional needs calculated in paragraph (2).*
 - (4) Calculate the special education early intervention preschool grant for each school district by multiplying the per pupil grant calculated in paragraph (3) by the total amount of preschool children with exceptional needs in paragraph (1).*
 - (5) The Superintendent shall allocate the amount of funds calculated for each school district in paragraph (4) to the applicable school district.*
- (b) It is the intent of the Legislature that funds allocated pursuant to this section supplement existing special education resources currently required to be provided pursuant to federal and state law.*

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(c) For purposes of this section, the following definitions shall apply:

(1) "Preschool child with exceptional needs" means a child between the ages of three and five years, inclusive, that has been identified as an individual with exceptional needs, as defined in Section 56026, and is receiving individualized education program services, except those enrolled in kindergarten or a transitional kindergarten program.

(2) "Transitional kindergarten" means the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate.

SEC. 68.

(a) The Legislature finds and declares all of the following:

(1) Chapter 760 of the Statutes of 2017 (Assembly Bill 1360 of the 2017-18 Regular Session) became effective on January 1, 2018. The intent of the Legislature in enacting that bill was, in part, to ensure "equal access to interested pupils at charter schools and prohibit practices that discourage enrollment or disproportionately push out segments of already enrolled pupils" and that "charter school discipline policies are fair and transparent."

(2) The California Longitudinal Pupil Achievement Data System (CALPADS), authorized pursuant to Chapter 10 (commencing with Section 60900) of Part 33 of Division 4 of Title 2 of the Education Code, contains pupil enrollment data that may provide important insight into pupil mobility and whether there are trends in enrollment patterns at individual schools or types of schools.

(3) There are opportunities to use existing data to help policymakers address disparities in opportunities and improve outcomes for all pupils and assess whether policies and programs are achieving their intended purpose.

(b) The State Department of Education shall study the feasibility of both of the following:

(1) Analyzing pupil enrollment patterns at charter schools based on pupil enrollment data from CALPADS to identify pupils who were enrolled at a charter school in the fall but were no longer enrolled at the charter school in the spring.

(2) Matching assessment results and graduation rates for pupils described in paragraph (1) and comparing the results to those who remain enrolled at the charter school.

(c) In completing the study required pursuant to subdivision (b), the State Department of Education shall address any resource or technical barriers to completing the tasks described in subdivision (b) and shall develop recommendations for overcoming any barriers and additional recommendations, as deemed appropriate by the State Department of Education, on any of the following issues:

(1) The enrollment data elements within CALPADS that should be used.

(2) The grade levels that should be analyzed.

(3) The potential to address any data limitations that may be caused by small sample sizes.

(4) The potential to use statistically reliable sampling methods.

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Martha Zaragoza-Diaz

(5) Any potential limitations on conclusions that may be drawn given the underlying data.

(d) By November 1, 2019, the State Department of Education shall submit a report summarizing the findings of the feasibility study conducted and any recommendations developed pursuant to this section to the relevant policy and fiscal committees of the Legislature, the Director of Finance, and the Legislative Analyst's Office.