
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: SB 1211
Author: Huff
Version: February 18, 2016
Urgency: No
Consultant: Lenin Del Castillo
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Fiscal: Yes

Subject: Educational programs

SUMMARY

This bill repeals numerous provisions of the Education Code for categorical programs that are outdated or considered obsolete in light of the passage of recent Local Control Funding Formula (LCFF) legislation.

BACKGROUND

Existing law continues implementation of the LCFF, which was enacted as part of the 2013-14 Budget Act. The LCFF was a significant reform to the state's system of financing K-12 public schools. It replaces the prior system of revenue limits and restricted funding for a multitude of categorical programs with a new funding formula that provides targeted base funding levels tied to four grade spans for the core educational needs of all students and supplemental funding for the additional educational needs of low-income students, English learners, and foster youth. Because the LCFF funds have limited spending restrictions, local education agencies (LEAs) have considerable flexibility to direct LCFF resources to best meet their students' needs. (Education Code § 42238.03)

ANALYSIS

This bill would repeal numerous provisions of the Education Code for categorical programs that are outdated or considered obsolete in light of the passage of the LCFF. Below are the bill sections and the general subject matter of the proposed changes.

- 1) Community Policing and Mentoring for School Safety Pilot Program (SEC. 1)
- 2) Study of schools qualifying for federal severe need meal reimbursement (SEC. 2)
- 3) Nell Soto Parent/Teacher Involvement Program (SEC. 3)
- 4) Tom Hayden Community-Based Parent Involvement Grant Program (SEC. 4)
- 5) Nuclear Age Education Curriculum (SEC. 5)

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, this bill would remove various Education Code Sections that remain on the books despite being rendered obsolete by the enactment of the Local Control Funding Formula (LCFF). The LCFF removed funding for a number of categorical programs which still remain codified in the Education Code.
- 2) ***Previous LCFF clean-up legislation.*** SB 587 (Emmerson, 2013) was the genesis for a related piece of clean-up legislation, SB 971 (Huff, Chapter 923, Statutes of 2014). SB 587 was amended at the end of session in 2013 to incorporate changes to the Education Code in light of the passage of LCFF. According to Senator Emmerson's office at the time, SB 587 was to begin the discussion amongst all parties, to achieve consensus, about sections of the Education Code that could possibly be repealed or modified. The elements of SB 587 were originally drafted by the Department of Finance (DOF) in an attempt to "clean up" the Education Code; however, these provisions were viewed through the prism of DOF's perspective on the implementation of LCFF (from DOF's perspective almost everything was discretionary), and not on the merits of each statute and the underlying intent.

In the Fall of 2013; the Department of Finance, California Department of Education, and Senate legislative staff met multiple times to discuss elements that could be part of SB 587 through a consensus approach. The discussions were intended to ascertain (1) whether the actions proposed were consistent with LCFF, (2) the bill does not impede pending legislation or legislative discussions, (3) the bill did not impact past or pending judicial actions, and (4) determine whether any of the proposed changes could lead to any unintended consequences at either a programmatic, budget or auditing level. SB 587 was never heard by this Committee.

SB 971 was originally introduced by Senator Cannella in 2014 and subsequently authored by Senator Huff. The measure included many of the provisions from SB 587. While the process for determining what sections should remain in law in light of LCFF will likely take multiple pieces of legislation over a period of time, SB 971 was a solid first step in this regard and was chaptered into law.

SB 416 (Huff, Chapter 538, Statutes of 2015) continued this effort and repealed additional provisions of law rendered obsolete by the enactment of LCFF.

- 3) ***Additional background on the LCFF.*** Although local educational agencies have considerably more flexibility in how they spend their resources under LCFF compared to the previous funding system, the law requires a school district, county office of education, or charter school:

"...to increase or improve services for unduplicated pupils [low-income students, English learners, and foster youth] in proportion to the increase in funds apportioned on the basis of the number and

concentration of unduplicated pupils in the school district, county office of education, or charter school.”

Under the old system, revenue limits provided local educational agencies (LEAs) with discretionary (unrestricted) funding for general education purposes, and categorical program (restricted) funding was provided for specialized purposes, with each program having unique allocation and spending requirements. Revenue limits made up about two-thirds of state funding for schools, while categorical program funding made up the remaining one-third portion. For some time, that system was criticized as being too state-driven, bureaucratic, complex, inequitable, and based on outdated allocation methods that did not reflect current student needs.

To ensure accountability for Local Control Funding Formula (LCFF) entitlements, the state also mandated that each LEA develop a local control and accountability plan (LCAP) that identifies locally determined goals, actions, services, and expenditures of LCFF funds for each school year in support of the state educational priorities that are specified in statute, as well as any additional local priorities. School district LCAPs are subject to review and approval by county offices of education. Statute established a process for districts to receive technical assistance related to their LCAP. The Superintendent of Public Instruction (SPI) is authorized to intervene in a struggling school district under certain conditions.

SUPPORT

California School Boards Association

OPPOSITION

None received.

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