
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair

2015 - 2016 Regular

Bill No: AB 63
Author: Bonilla
Version: May 28, 2015
Urgency: No
Consultant: Lynn Lorber

Hearing Date: June 24, 2015
Fiscal: Yes

Subject: School safety programs: funding.

NOTE: This bill has been referred to the Committees on Education, and Transportation and Housing. A “do pass” motion should include referral to the Committee on Transportation and Housing.

SUMMARY

This bill requires the California Department of Education (CDE) to apply to the Department of Motor Vehicles (DMV) for the purpose of creating a specialized license plate program to generate funds for school violence prevention programs.

BACKGROUND

Existing law:

- 1) Establishes the School Safety Violence Prevention Strategy Program for the purpose of promoting school safety and violence prevention programs for grades K-7 in public schools. The Superintendent of Public Instruction (SPI) is required to award competitive grants to provide schools with personnel such as counselors, social workers, nurses, and psychologists; install on-campus communication devices; establish in-service training program for school staff; establish cooperative arrangements with local law enforcement agencies; or other strategies for achieving school safety and prevention of violence.
(Education Code § 35294.10 and § 35294.11)
- 2) “Flexed” funds for numerous categorical programs, from fiscal years 2008-09 to 2014-15, and provided that those former categorical funds may be used for any educational purpose. (SB 4 of the Third Extraordinary Session, Ducheny, Chapter 12, Statutes of 2009)
- 3) Modified the structure of school funding by establishing the Local Control Funding Formula (LCFF), which provides funding to local educational agencies through a base grant and a supplemental grant based on enrollment of students who are low-income, English learners, or in foster care, and additional funds based on a concentration factor for enrollment of such students. (EC § 42238.02)

- 4) Authorizes any state agency to apply to the Department of Motor Vehicles (DMV) to sponsor a specialized license plate program. The DMV is required to issue specialized license plates for that program if the agency complies with all statutory requirements. The DMV is prohibited from establishing a specialized license plate program for an agency until it receives 7,500 paid applications for the agency's specialized license plates. The applicant agency is required to collect and hold applications for the specialized plates and once the agency has received at least 7,500 applications, it must submit the applications, along with the necessary fees to DMV. (Vehicle Code § 5151 et seq.)

ANALYSIS

This bill requires the California Department of Education (CDE) to apply to the DMV for the purpose of creating a specialized license plate program to generate funds for school violence prevention programs. Specifically, this bill:

- 1) Requires the CDE to apply to the DMV to create a specialized license plate program, and requires the CDE to comply with all of the requirements for state agencies that sponsors a specialized license plate program.
- 2) Establishes the School Violence Prevention Fund (Fund) in the State Treasury, and requires the DMV to deposit, after deducting its administrative costs, the fees collected from the sale of the specialized license plates in the Fund.
- 3) Requires the funds, upon appropriation by the Legislature, to be allocated to the CDE to carry out one or more of the purposes for which the School Safety Violence Prevention Strategy Program was established, or another school violence prevention effort, as determined by the CDE.
- 4) Authorizes the Superintendent of Public Instruction (SPI) to consult with the Board of State and Community Corrections, the State Department of Social Services, and the State Department of Public Health on school violence prevention and intervention in order to carry out one or more of the purposes for which the School Safety Violence Prevention Strategy Program was established.
- 5) Specifies that funds are to be available for all public schools (both traditional and charter schools).

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Prior to 2010, the state provided funding for two categorical programs – the School Safety and Violence Prevention Act (school safety block grant) and the School Safety Consolidated Competitive Grant – to implement programs to improve school safety and reduce violence. Previously these programs were funded through categorical grants, but with the enactment of the local control funding formula, these categorical grants were integrated into school districts’ base grants and are no longer in existence. AB 63 attempts to re-establish school safety and violence prevention programs by creating a new source

of direct funding derived from the sale of a specialized license plate, which will also help increase awareness of the importance of addressing youth violence and bullying.”

- 2) **Former categorical programs.** As is indicated in Comment #1, the State used to provide funding for categorical programs for school safety and violence prevention. The 2009 Budget Act imposed a 20% reduction for 39 categorical programs and gave school districts the flexibility to use the funds for any educational purposes. The local control funding formula (LCFF), enacted in 2013, eliminated most categorical programs and integrated categorical program funds, including those for school safety programs, into school districts' base grants. These programs exist in statute but are no longer specifically funded. A number of bills introduced over the past few years have attempted to re-establish funding for various categorical programs. While the other bills propose to use Proposition 98 funds, this bill proposes generating funds through a specialized license plate program.
- 3) **Determination of the use of funds.** This bill requires the funds, upon appropriation by the Legislature, to be allocated to the California Department of Education (CDE) to carry out one or more of the purposes for which the School Safety Violence Prevention Strategy Program was established, or another school violence prevention effort, as determined by the CDE. Therefore, this bill provides CDE with complete discretion as to which school safety efforts may be funded pursuant to this bill.
- 4) **Specialized licensed plate program.** Existing law requires at least 7,500 paid applications to be provided prior to the development of the specialized license plate by Department of Motor Vehicles (DMV); this ensures there are sufficient funds to pay for costs that will be incurred by the DMV. According to the Assembly Education Committee's analysis of this bill, the following plates have been created pursuant to legislation: 9/11 Memorial; Coastal Commission; Tahoe Conservancy; Yosemite National Park; Arts; Veterans; and, Have a Heart, Be a Star, Help Our Kids. Two plates, Two Pet Lovers and Agriculture, were developed by agencies pursuant to statutory authority, rather than through legislation.
- 5) **Fiscal impact.** According to the Assembly Appropriations Committee:
 - a) Potential one-time special fund costs of approximately \$440,000 to DMV to establish the specialized license plate program, including computer programming changes and updating forms. Pursuant to current law, DMV will make computer programming and form changes only after program applications meet a 7,500-application threshold. Therefore, the DMV will incur these costs only if it receives enough applications to require the CDE to implement the program. The DMV will incur minor ongoing costs to continue issuing specialty license plates and renewals under the program. All of the DMV's initial and ongoing costs will be covered by a portion of the additional \$50 fee paid for original specialized license plates and the additional \$40 fee to renew such plates.

- b) Minor costs to California Department of Education (CDE) to submit the program application and license prototype to DMV, design and print the license plate application, and collect and hold applications and fees until 7,500 applications are received.
- c) Potential ongoing revenue to CDE for grants to school districts, from a portion of the additional fees for new and renewed specialty license plates generated after the funding requirements are satisfied.

6) ***Related and prior legislation.***

RELATED LEGISLATION

SB 257 (Bates, 2015) requires the Department of Motor Vehicles (DMV) to issue personalized Gold Star License Plates upon payment of specified fees. SB 257 is pending in the Assembly Transportation Committee.

AB 192 (Allen, 2015) requires the State Coastal Conservancy (SCC) to apply to the DMV to sponsor a coastal conservancy specialized license plate program. AB 192 is pending in the Senate Transportation and Housing Committee.

AB 270 (Nazarian) requires the Department of Public Health (DPH) to apply to the DMV to sponsor a diabetes awareness, education, and research license plate program. AB 270 is pending in the Senate Transportation and Housing Committee.

AB 932 (Daly and Thurmond) requires the State Department of Parks and Recreation (SDPR) to apply to the DMV to sponsor a specialized license plate program using professional sport team logos. AB 932 is pending in the Senate Transportation and Housing Committee.

PRIOR LEGISLATION

SB 544 (DeSaulnier, 2014) was very similar to this bill. SB 544 failed passage in the Assembly Education Committee.

Over the past five years, 13 bills have been introduced directing a state agency to sponsor a specialized license plate for a variety of causes; eight of these bills were passed by the Legislature and signed by the Governor. Most recently, the following four bills were enacted: AB 49 (Buchanan, Chapter 351, Statutes of 2014) for breast cancer awareness, AB 1096 (Nestande, Chapter 353, Statutes of 2014) for Salton Sea restoration, AB 2321 (Gomez, Chapter 358, Statutes of 2014) for domestic violence prevention, and AB 2450 (Logue, Chapter 359, Statutes of 2014) for kidney disease research.

SUPPORT

California Council of Community Mental Health Agencies
Concord Police Department

Contra Costa County Office of Education
Mental Health America of California
STAND! For Families Free of Violence
Stanislaus County Office of Education
Stanislaus County Sheriff's Department
Superintendent of Public Instruction, Tom Torlakson

OPPOSITION

None received.

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