

**BUDGET CONFERENCE COMMITTEE  
EDUCATION VOTE ONLY ITEMS  
ROUND 2**

**Attachment A: Language**

Item/Issue No.	Language
<p><b>6110-123-0001 6110-606-0001 C.S. 12.42 (Issues 26 &amp; 28)</b></p>	<p>This request includes a technical increase of \$17,565,000 to Item 6110-606-0001, which would effectively remove a like amount from Control Section 12.42 of the Budget Act of 2008, and a decrease of \$107,909,000 Proposition 98 General Fund to Item 6110-123-0001. This decrease conforms to the policy decision to eliminate the HPSGP for 2009-10 from the Budget Act of 2009 because program funding provided in 2008-09 would not be allocated to LEAs until 2009-10. This net reduction is necessary to reduce the Proposition 98 guarantee in the current and budget year and to capture additional General Fund savings. See attached for conforming language.</p> <p>It is further requested that trailer bill language be adopted as follows:</p> <p>SEC. XX. Section 12.42, as added to the Budget Act of 2008, of Section 34, of Chapter 12 of the Statutes of 2009 of the Third Extraordinary Session is amended to read:</p> <p>Sec. 12.42. (a) The amounts appropriated in the items set forth in subdivision (b) are each hereby reduced by the percentage determined by dividing <del>943,773,000</del> <u>926,208,000</u> by the sum of the amounts appropriated in the items set forth in subdivision (b).</p> <p>(b) Subdivision (a) shall apply to Items 6110-103-0001, 6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001, 6110-113-0001, 6110-119-0001, 6110-122-0001, <del>6110-123-0001</del>, 6110-124-0001, 6110-125-0001, 6110-137-0001, 6110-144-0001, 6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001, 6110-166-0001, 6110-167-0001, 6110-181-0001, 6110-182-0001, 6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-220-0001, 6110-224-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-266-0001, 6110-267-0001, 6110-</p>

	<p>268-0001, as amended by Chapter 269, Statutes of 2008 and 6360-101-0001 of Section 2.00 of the Budget Act of 2008.</p> <p>SEC. X. Notwithstanding any other law, one hundred seven million nine hundred nine thousand dollars (\$107,909,000) is reduced from the amount appropriated to the High Priority Schools Grant Program in Schedule (1) of Item 6110-123-0001 of Section 2.00 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008).</p>
<p><b>6110-113-0001 (Issue 23)</b></p>	<p>It is requested that provisional language be added to conform to this action as follows:</p> <p>X. The funds appropriated in Schedule (5) may be used to pay approved apportionment costs from current and prior fiscal year for the STAR program, the CELDT, and the CAHSEE.</p> <p>X. The State Department of Education (SDE) shall not expend funds from this item until the Department of Finance approves an SDE expenditure plan to ensure that the SDE maximizes contract savings and minimizes apportionment payment deferrals for the current and prior fiscal year. <b><u>Once the expenditure plan is approved by the Department of Finance, SDE shall provide the Legislative Analyst and the appropriate fiscal and policy committees of the Legislature with a copy of the approved plan.</u></b></p> <p><b><u>X. In implementing the reductions for the 2008-09 and 2009-10 fiscal years, the State Department of Education shall not eliminate any state assessments funded by this item.</u></b></p>
<p><b>6110-126-0890 (Issue 088)</b></p>	<p>“6110-126-0890—For local assistance, Department of Education, Program 20.60.290 Instructional Support, Title I, Part B of the federal Elementary and Secondary Education Act (Reading First program) payable from the Federal Trust Fund.....<del>47,974,000</del> <u>26,512,000</u></p> <p>Provisions: 1. The funds appropriated in this item are for Reading First programs pursuant to Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code. <del>It is the intent of the Legislature that all participating school districts receive funding at the rates</del></p>

~~established in paragraph (3) of subdivision (c) of Section 51700 for six years. A participating school district shall not receive funding from this item for more than six years.~~

2. Of the funds appropriated in this item, ~~\$3,658,000~~ \$2,800,000 shall be available for Reading First's statewide and regional infrastructure, including its ~~six-eight~~ regional technical assistance centers. The State Department of Education, in consultation with the Technical Assistance Centers, shall submit an expenditure report by November 30, 2010 to the Department of Finance and the Legislative Analyst's Office. This report shall include, at a minimum, the sum and distribution of participating schools and teachers and expenditure information of each technical assistance center by category of personnel, training, training materials, travel, general expense, and indirect costs.

3. By May 1, 2010, the State Department of Education shall provide the Legislature with all of the following: (a) the number of school districts receiving grants, (b) the number of ~~K-3~~ teachers funded, (c) the number of ~~K-12~~ special education teachers served, and (d) the average per teacher grant amount.

4. By May 1, 2010, the State Department of Education shall provide the Legislature with the following: (a) the number and percentage of all ~~K-12~~ special education teachers in Reading First schools receiving Reading First professional development for each year, 2001-02 to 2008-09, inclusive, and (b) the number and percentage of all ~~K-12~~ special education classes in Reading First schools that have appropriate reading materials purchased using the state's instructional materials program as set forth in Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code."

3. Of the funds appropriated in this item, \$23,712,000 is provided in one-time carryover funds. These funds shall be available to support Reading First appropriate activities including, but not limited to, teacher training, teacher assessments, student assessments, remedial programs, classroom materials, reading coaches, external resource specialists, and the implementation of research-based instructional strategies such as response to instruction and intervention. First priority for funding shall be given to support Reading First Special Education Teacher Professional Development Pilot Program (SETPD) applicants. Second priority shall be given to other currently participating local educational agencies to provide a maximum equivalent to 6 years of funding. All participants in Priority 1 and 2, as specified in this provision, shall receive a maximum of \$8,000

	<p>per teacher per equivalent year of funding.</p> <p><u>4. Funds that are not needed for the purposes specified in provisions 2 and 3 of this item shall be available to support Reading First appropriate activities including, but not limited to, the activities specified in provision 3 and shall be distributed to former and current Reading First and Priority 1 SETPD local educational agencies, prorated across all participating teachers.</u></p>
<p><b>6110-161-0001 (Issue 566)</b></p>	<p>It is further requested that Provisions 2, 3, and 4, of this item be amended to conform to this action as follows:</p> <p>“2. Of the funds appropriated in Schedule (1), up to <del>\$13,154,000</del> <u>13,151,000</u>, plus any cost-of-living adjustment, shall be available for the purchase, repair, and inventory maintenance of specialized books, materials, and equipment for pupils with low-incidence disabilities, as defined in Section 56026.5 of the Education Code.</p> <p>3. Of the funds appropriated in Schedule (1), up to <del>\$10,049,000</del> <u>10,047,000</u>, plus any cost-of-living adjustment, shall be available for the purposes of vocational training and job placement for special education pupils through Project Workability I pursuant to Article 3 (commencing with Section 56470) of Chapter 4.5 of Part 30 of Division 4 of Title 2 of the Education Code. As a condition of receiving these funds, each local educational agency shall certify that the amount of nonfederal resources, exclusive of funds received pursuant to this provision, devoted to the provision of vocational education for special education pupils shall be maintained at or above the level provided in the 1984-85 fiscal year. The Superintendent of Public Instruction may waive this requirement for local educational agencies that demonstrate that the requirement would impose a severe hardship.</p> <p>4. Of the funds appropriated in Schedule (1), up to <del>\$5,242,000</del> <u>5,241,000</u>, plus any cost-of-living adjustment (COLA), shall be available for regional occupational centers and programs that serve pupils having disabilities, up to <del>\$87,640,000</del> <u>87,623,000</u>, plus any COLA, shall be available for regionalized program specialist services, and up to <del>\$2,597,000</del> <u>2,596,000</u>, plus any COLA, shall be available for small special education local plan areas (SELPAs) pursuant to Section 56836.24 of the Education Code.”</p>
<p><b>6110-161-0890 Issue (Issue 567)</b></p>	<p>It is further requested that Provision 1 of this item be amended to conform to this action as follows:</p>

	<p>“1. If the funds for Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) (IDEA) that are actually received by the state exceed <del>\$1,198,276,000</del> <u>1,219,431,000</u>, at least 95 percent of the funds received in excess of that amount shall be allocated for local entitlements and to state agencies with approved local plans. Up to 5 percent of the amount received in excess of <del>\$1,198,276,000</del> <u>1,219,431,000</u> may be used for state administrative expenses upon approval of the Department of Finance. If the funds for Part B of the IDEA that are actually received by the state are less than <del>\$1,198,276,000</del> <u>1,219,431,000</u>, the reduction shall be taken in other state-level activities.”</p> <p>It is also requested that Provision 25 of Item 6110-161-0001 be amended to conform to this action as follows:</p> <p>“25. Of the funds appropriated in Schedule (1), the amount resulting from increases in federal funds reflected in the calculation performed in paragraph (1) of subdivision (c) of Section 56836.08 of the Education Code shall be allocated based on an equal amount per average daily attendance and added to each special education local plan area’s base funding, consistent with paragraphs (1) to (4), inclusive of subdivision (b) of Section 56836.158 of the Education Code. This amount may be up to <del>\$32,300,000</del> <u>\$53,458,000</u>, less adjustments for state operations and preschool. When the final amount is determined, the State Department of Education shall provide this information to the Department of Finance and the budget committees of each house of the Legislature.”</p>
<p><b>6110-211-0001</b>  <b>C.S. 12.42</b>  <b>(Issues 675 and 676)</b></p>	<p>The Charter School Categorical Block Grant provides charter schools with categorical funding in lieu of separate funding for specific categorical programs. The funding consists of two components: (1) a general-purpose amount per unit of average daily attendance, and (2) an amount in lieu of EIA per eligible educationally disadvantaged pupil. Control Section 12.42 of the Budget Act of 2009 reduced most categorical programs by about 19.8 percent. Although the EIA program was not included, the Charter School Categorical Block Grant appropriation was part of the Control Section 12.42 reduction, including the in lieu of EIA funding. This amendment ensures that charter schools receive comparable EIA funding to traditional schools funded through the EIA program.</p>

	<p>It is requested that Provision 2 of this item be amended to conform to this action as follows:</p> <p>“2. An additional \$5,947,000 in expenditures for Schedule (1) of this item has been deferred until the 2010-11 fiscal year.”</p> <p>It is also requested that Control Section 12.42 be amended to conform to this action as follows:</p> <p>“SEC. 12.42 (a) The amounts appropriated in the items set forth in subdivision (b) are each hereby reduced by the percentage determined by dividing <del>1,211,296,000</del> 1,208,666,000 by the sum of the amounts appropriated in the items set forth in subdivision (b). (b) Subdivision (a) shall apply to Items 6110-103-0001,6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001,6110-113-0001, 6110-119-0001, 6110-122-0001, 6110-124-0001,6110-125-0001, 6110-137-0001, 6110-144-0001, 6110-150-0001,6110-151-0001, 6110-156-0001, 6110-158-0001, 6110-166-0001,6110-167-0001, 6110-181-0001, 6110-182-0001, 6110-188-0001,6110-189-0001, 6110-190-0001, 6110-193-0001, 6110-195-0001,6110-198-0001, 6110-204-0001, 6110-208-0001, 6110-209-0001, 6110-211-0001, 6110-220-0001, 6110-224-0001, 6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001, 6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001, 6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001, 6110-265-0001, 6110-266-0001, 6110-267-0001, 6110-268-0001, and 6360-101-0001, and Schedule (1) of Item 6110-211-0001 of Section 2.00 of this act.”</p> <p><i>It is noted that this amendment to Control Section 12.42 also includes a conforming technical adjustment resulting from Issue 027 of Item 6110-113-0001 regarding the California High School Exit Exam Mandate.</i></p>
<p><b>Add C.S. 24.60</b></p>	<p>SEC. 24.60. Each state entity receiving lottery funds shall annually report to the Governor and the Legislature on or before May 15 the amount of lottery funds that the entity received and the purposes for which those funds were expended in the prior fiscal year, including administrative costs. The State Department of Education shall report on behalf of K-12 entities. If applicable, the entity shall also report the amount of lottery funds received on the basis of adult education average daily attendance (ADA) and the amount of lottery funds expended for adult education.</p>