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## SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Nancy Skinner, Chair  
2021 - 2022 Regular

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<b>Bill No:</b>	AB 185	<b>Hearing Date:</b>	August 29, 2022
<b>Author:</b>	Committee on Budget		
<b>Version:</b>	August 26, 2022 As amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Yong Salas		

**Subject:** Education finance: education omnibus trailer bill

**Summary:** This bill provides for statutory changes necessary to enact the K-12 and child care-related statutory provisions of the Budget Act of 2022.

**Background:** This bill, as part of the 2022-23 Budget Package, makes statutory changes to implement the 2022-23 Budget Act. Specifically, this bill:

- 1) Clarifies that new cost-of-living-adjustment add-ons to the county Local Control Funding Formula (LCFF) Floor and Minimum State Aid Guarantee are cumulative from one fiscal year to the next.
- 2) Requires the Department of Education, in consultation with the Department of Social Services, to convene statewide workgroup of preschool stakeholders, as specified and provide recommendations regarding preschool access and quality standards across the mixed child care delivery system.
- 3) Clarifies support for dual language learners, three year-old child eligibility, and intent on how to provide special education set-aside for the California State Preschool Program (CSPP).
- 4) Conforms adult/child ratios for child care programs to the child care facility licensing regulations.
- 5) Clarifies language for how to distribute COLA with regard to child care costs.
- 6) Clarifies the following for the California Transitional Kindergarten Planning Grant Program: (1) funds must be expended by June 30, 2026, (2) specifies how funds should be awarded and spent, and (3) requires local educational agencies to provide program data to Department of Education.
- 7) Clarifies grant funding and application process for the Preschool Planning Grants.
- 8) Clarifies who is subject to background checks under the Cradle-to-Career project.
- 9) Establishes an alternative design-build process for school facilities.
- 10) Clarifies reporting requirements for the Learning Recovery Block Grant.

- 11) Specifies funding calculations as it relates to school transportation for common administration districts, district reorganizations, and allows for school transportation to be provided by joint powers agreements. Also clarifies that prior year Local Control Funding Formula transportation costs should be used to calculate funding.
- 12) Repeals the requirement to adopt regulations for program funding.
- 13) Clarifies requirements for local educational agencies to be eligible for the 2021-22 average daily attendance boost.
- 14) Updates language for school district reorganizations or territory transfers to specify that adjustments will be made to any applicable prior fiscal year, as a result of the new three prior year average calculation.
- 15) Increases the necessary small school funding bands to correspond to the increase for school districts.
- 16) Clarifies the recoupment of payment procedures in the event of wage overpayment for school employees.
- 17) Adds transitional kindergarten as an eligible requirement for the mentor teacher experience as part of the Teacher Residency Grant Program.
- 18) Specifies that \$10 million be set-aside for capacity grants to create school counselor residency programs.
- 19) Corrects the Year of Appropriation for the Teacher Residency Program Technical Assistance Center program funding.
- 20) Allows classified employees and community college employees to be represented by an attorney or non-attorney representative during layoff proceedings.
- 21) Defines "month" for purposes of the Classified Employee Summer Assistance Program.
- 22) Makes technical changes to the Expanded Learning Opportunity Program and adds back the three-year Rate 1 funding guarantee language.
- 23) Makes the following changes for purposes of transitional kindergarten funding through LCFF:
  - a) Clarifies that transitional kindergarten class size requirements are not subject to collectively bargained class size alternative for purposes of calculating the transitional kindergarten average class size requirements.
  - b) Clarifies how class size and adult-to-pupil ratio should be defined for purposes of calculating the Local Control Funding Formula for Transitional Kindergarten, and clarifies CDE authority on expanded learning wrap for TK, using State Preschool contracts.

- c) Clarifies how fiscal penalties for failing to meet Transitional Kindergarten requirements should be calculated.
- 24) Extends the sunset for the district of choice program through July 1, 2028.
- 25) Extends the sunset for graduation requirements related to career technical education through July 1, 2027.
- 26) Adds exceptions for students participating for fewer than 15 schooldays and make conforming changes for purposes of the independent study program.
- 27) Adds back provision that allowed LEAs to obtain a signed master agreement within 30 days of the first day of independent study instruction.
- 28) Clarifies that the cost-of-living-adjustment should not be counted twice in the base rate for special education.
- 29) Clarifies a provision of current law, which allows local governments to condition the approval of new residential development on the basis of the adequacy of school facilities in the event that a future statewide school facilities bond fails passage, does not apply if non-bond state resources are provided for school facilities.
- 30) Redefines TK children as school-age for purposes of school age community care licensing.
- 31) Provides authority for rule-making for purposes of income determination for child care eligibility.
- 32) Increases the mental health adjustment for direct contract child care programs to 1.1, providing parity with the CSPP.
- 33) Shifts the reporting deadline from June 30, 2023 to June 30, 2024 for the 2021 Kitchen Infrastructure and Training Funds.
- 34) Updates appropriations to ensure direct contractors receive a rate supplement in 2021-22 and 2022-23 equivalent to the difference between their current contract rate and the 85th percentile of the 2018 RMR.
- 35) Extends the encumbrance period for the Model Curriculum Coordinating Council through June 30, 2025.
- 36) Specifies that Computer Science is its own content area with standards and credentialing requirements apart from science for the Math and Science Professional Development Fund.
- 37) Clarifies the funding allocation for the Educator Workforce Investment.
- 38) Amends the Arts, Music, and Instructional Materials Discretionary Block Grant to clarify eligible uses, the allocation methodology be per unit of ADA, and add language to calculate average daily attendance for State Special Schools.

**Fiscal Effect:** Appropriates approximately \$4 million to administer the Preschool Statewide Workgroup and the Preschool Planning Grants, \$2 million for alternative care and 16 additional non-operative days for state subsidized child care programs, due to COVID-19 related closures, and increases the child care stipend allocations by \$2 million.

**Support:** None on file.

**Opposition:** None on file.

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