

1 special classes or programs shall report annually to the
2 Superintendent of Public Instruction, on forms he shall
3 provide, all expenditures and income related to each
4 special class or program.

5 If the Superintendent of Public Instruction determines
6 that the current expense of operating a special class or
7 program as defined in the California School Accounting
8 Manual does not equal or exceed the sum of the basic
9 program support determined pursuant to Section 17662
10 and the allowance provided under this article for each
11 pupil in average daily attendance in the special class or
12 program maintained by a school district for each pupil in
13 average daily attendance in special classes or programs
14 maintained by the county superintendent of schools, then
15 the amount of such deficiency shall be withheld from
16 state apportionments to the school district or the county
17 superintendent of schools, as the case may be, in the
18 succeeding fiscal year in accordance with the procedure
19 prescribed in Section 17414.

20 Expenditures for equipment that the Superintendent
21 of Public Instruction determines are necessary for
22 instruction in a special class or program for physically
23 handicapped minors shall be considered as current
24 expense for purposes of this section. In any year the
25 district's allowable expenditure for such equipment may
26 not exceed 1 percent of the current expense of operating
27 the district's physically handicapped program.

28 SEC. 54. Section 18355 of the Education Code is
29 amended to read:

30 18355. The Superintendent of Public Instruction shall
31 allow, in addition to all other allowances, to the county
32 school service funds: (a) for all emergency schools
33 maintained in each elementary school district of the
34 county by the county superintendent of schools, (b) all
35 special schools or classes for mentally retarded minors
36 and severely mentally retarded minors maintained in
37 each elementary school district of the county by the
38 county superintendent of schools, (c) each elementary
39 school maintained in juvenile halls, juvenile homes, and
40 juvenile camps, by the county superintendent of schools,

1 and all opportunity schools and classes maintained by the
2 county superintendent of schools pursuant to Sections
3 6502 and 6503, and (d) all schools and classes for
4 educationally handicapped minors maintained in each
5 elementary school district of the county by the county
6 superintendent of schools, the same amount per
7 elementary pupil as he would allow under Section 17662.
8 No allowance shall be made for emergency schools
9 which is in excess of the actual expense of maintaining the
10 emergency school.

11 SEC. 55. Section 18358 of the Education Code is
12 amended to read:

13 18358. For all physically handicapped pupils,
14 mentally retarded minors and educationally
15 handicapped minors of secondary grade, and
16 handicapped adults, educated by the county
17 superintendent of schools and for all secondary schools
18 maintained in juvenile halls, juvenile homes and juvenile
19 camps by the county superintendent of schools, the
20 Superintendent of Public Instruction shall allow the same
21 amount per high school pupil as he would allow under
22 Section 17662.

23 However, with respect to handicapped adults, the
24 following limits shall apply:

25 (a) The total of allowances for education of
26 handicapped adults in classes established by the county
27 superintendent of schools pursuant to Section 5746 shall
28 not exceed fifty thousand dollars (\$50,000) in any one
29 fiscal year. The Superintendent of Public Instruction shall
30 establish a system of priorities that he shall by rule or
31 regulation adopt which shall give highest priority to those
32 counties in which no or an insufficient program for the
33 education of handicapped adults is provided by the
34 school districts within the county, in order to comply with
35 the limitation prescribed by this subdivision.

36 (b) The Superintendent of Public Instruction shall
37 allow for handicapped adults the amount specified in
38 Section 17951 for each unit of average daily attendance
39 for adults for high school districts.

40 SEC. 56. Section 18401 of the Education Code is

1 amended to read:

2 18401. The Superintendent of Public Instruction shall
3 allow to each county school tuition fund one hundred
4 twenty dollars (\$120) for each unit of average daily
5 attendance of pupils residing in the county and attending
6 school in an adjoining state during the fiscal year. Such
7 average daily attendance shall not be included in the
8 computations provided for in Section 17702.

9 SEC. 57. Section 20404 of the Education Code is
10 amended to read:

11 20404. On or before August 15, the county board of
12 education shall file with the board of supervisors a
13 certified statement showing the amount of money to be
14 raised by a county tax for purposes of this chapter. The
15 board of supervisors shall fix a rate for the county tax
16 sufficient to produce the amount specified in the
17 statement and shall, at the time of levying other county
18 taxes, levy the tax so fixed.

19 The proceeds of the tax levied pursuant to this section
20 shall be credited to the single county school service fund
21 of the county and any expenses of the county
22 superintendent of schools, the county board of education,
23 and the county committee on school district organization
24 required by Section 881 or any other sections of this code
25 required to be paid from the county general fund shall
26 not be paid from such fund but shall be paid from the
27 money in the single county school service fund.

28 A tax levied pursuant to this section shall not exceed
29 the rate of ten cents (\$0.10) per one hundred dollars
30 (\$100) of assessed valuation for administrative and
31 business functions.

32 SEC. 58. Section 20751 of the Education Code is
33 repealed.

34 SEC. 59. Section 20751 is added to the Education
35 Code, to read:

36 20751. (a) It is the intent of the Legislature that
37 ~~statutory maximum tax rates be sufficient to permit an~~
38 ~~average wealth school district to provide an average~~
39 ~~expenditure program when local revenues are combined~~
40 ~~with state allowances and apportionments.~~

1 ~~(b) The maximum tax rate per each one hundred~~
 2 ~~dollars (\$100) of assessed valuation for an elementary,~~
 3 ~~high school, and unified school district is as set forth in the~~
 4 ~~following table:~~

5				
6	Fiscal Year	Elementary	High School	Unified
7	1972/1973.....	\$2.00	\$1.20	\$3.20
8	1973/1974.....	1.75	1.10	2.85
9	1974/1975			
10	and			
11	following.....	1.50	1.00	2.50

12

13 ~~(c) The maximum tax rate for a community college~~
 14 ~~district is thirty-five cents (\$0.35) for community college~~
 15 ~~purposes; and ten cents (\$0.10) for adult education~~
 16 ~~purposes; on each one hundred dollars (\$100) of assessed~~
 17 ~~valuation.~~

18 ~~(d) The maximum tax rates set forth in this section~~
 19 ~~may be exceeded with the approval of a majority of the~~
 20 ~~electorate pursuant to Section 20803.~~

21 ~~(e) If the authorized expenditure level for the 1972/73~~
 22 ~~fiscal year exceeds seven hundred twenty-five dollars~~
 23 ~~(\$725) for elementary districts or exceeds nine hundred~~
 24 ~~twelve dollars (\$912) for high school districts; such~~
 25 ~~expenditures may not be increased except by election of~~
 26 ~~the voters of the district.~~

27 ~~(f) If, during 1973/74, and in subsequent fiscal years,~~
 28 ~~the authorized expenditure level exceeds the statewide~~
 29 ~~average current expense of education per unit of average~~
 30 ~~daily attendance for the elementary districts and 112~~
 31 ~~percent of the statewide average current expense for~~
 32 ~~high school districts; such expenditures may not be~~
 33 ~~increased except by election of the voters of the district.~~
 34 ~~expenditure controls applied pursuant to Article 3~~
 35 ~~(commencing with Section 17701) of Chapter 3 of~~
 36 ~~Division 14 replace statutory school district tax rate~~
 37 ~~limitations for elementary, high school, and unified~~
 38 ~~districts.~~

39 ~~No district may exceed the authorized expenditure~~
 40 ~~level determined pursuant to Article 3 (commencing~~

1 *with Section 17701) of Chapter 3 of Division 14 unless*
2 *such excess expenditures have been approved by the*
3 *electorate pursuant to Section 20803.*

4 *For community college districts the maximum tax rate*
5 *shall be thirty-five cents (\$0.35) for community college*
6 *purposes, and ten cents (\$0.10) for adult education*
7 *purposes, on each one hundred dollars (\$100) of assessed*
8 *valuation.*

9 SEC. 60. Section 20800 of the Education Code is
10 repealed.

11 SEC. 61. Section 20801.5 of the Education Code is
12 repealed.

13 SEC. 62. Section 20802.8 of the Education Code is
14 repealed.

15 SEC. 63. Section 20806 of the Education Code is
16 amended to read:

17 20806. For the purpose of providing funds for the
18 payment by the district of all or part of the premiums,
19 dues, or other charges for health and welfare benefits on
20 active officers and employees and retired officers and
21 employees who at the time of retirement were enrolled
22 in a health and welfare benefit plan, or on the spouses and
23 dependent children of such active and retired officers
24 and employees, or on both such active and retired officers
25 and employees and their spouses and dependent
26 children, which the governing board of a district may
27 have authorized in accordance with the provisions of
28 Article 1 (commencing with Section 53200) of Chapter 2
29 of Part 1 of Division 2 of Title 5 of the Government Code
30 and for the expenses incurred by the district in
31 administration of a program involving the payment of
32 such health and welfare benefits, district taxes, up to a
33 maximum of five cents (\$0.05) per one hundred dollars
34 (\$100) of assessed valuation, may be levied and collected
35 annually by the respective district at the same time and
36 in the same manner as other district taxes are levied and
37 collected. The tax shall be in addition to any other district
38 tax now or hereafter authorized by law, and shall not be
39 considered in fixing maximum rates of tax for school
40 district purposes. Moneys collected pursuant to this

1 section may also be expended for the requirements of
2 Section 13658.

3 The provisions of this section authorizing the payment
4 of all or part of the premiums, dues, or other charges for
5 health and welfare benefits for the retired officers and
6 employees who at the time of retirement were enrolled
7 in a health and welfare benefit plan, shall be limited in
8 applicability to any school district, or of two or more
9 school districts governed by governing boards of identical
10 personnel, having an average daily attendance of 400,000
11 or more as shown by the annual report of the county
12 superintendent of schools for the preceding year.

13 SEC. 64. Section 20807 of the Education Code is
14 repealed.

15 SEC. 65. Section 20808 of the Education Code is
16 repealed.

17 SEC. 66. Section 20808.5 of the Education Code is
18 repealed.

19 SEC. 67. Section 20816 of the Education Code is
20 repealed.

21 ~~SEC. 68. Sections 2, 3, 4, 5, 6, 7, 9, 10, 11, 60, 61, 62, 64,~~
22 ~~65, 66, and 67 of this act shall become operative on July~~
23 ~~1, 1974. From July 1, 1972, until July 1, 1974, the taxes for~~
24 ~~special purposes actually levied in all school districts~~
25 ~~which will be eliminated pursuant to those sections of this~~
26 ~~act shall be reduced by an amount which will limit the~~
27 ~~revenues of each district to not more than will provide~~
28 ~~the prior year's expenditure level plus the application of~~
29 ~~the reasonable expenditure increment factor pursuant to~~
30 ~~Article 3 (commencing with Section 17701) of Chapter 3~~
31 ~~of Division 14 of the Education Code. All such rates shall~~
32 ~~be reduced proportionately unless the county~~
33 ~~superintendent of schools approves an alternate method~~
34 ~~of reduction.~~

APPENDIX "C"

AMENDED IN SENATE JUNE 20, 1972

AMENDED IN SENATE MAY 23, 1972

SENATE BILL

No. 1302

Introduced by Senators Dymally, Alquist, Grunsky, and
~~Rodda~~ Rodda, Behr, and Moscone

(Coauthors: Assemblymen Arnett, Cory, Dunlap, Bill
Greene, and Lewis Lewis, Fong, and MacDonald)

March 15, 1972

An act to add Chapter 6.1 (commencing with Section 6445) to Division 6 AMEND SECTION 16601.5 of, to add Sections 16602.5 and 16602.6 to, and to amend Section 16601.5 TO ADD CHAPTER 6.1 (COMMENCING WITH SECTION 6445) TO DIVISION 6 OF, AND TO ADD ARTICLE 1.5 (COMMENCING WITH SECTION 16820) TO CHAPTER 1 OF DIVISION 13 of, the Education Code, AND to amend the heading of Chapter 2.5 (commencing with Section 16150) of Part 4 of Division 9 of, to amend Section 16150 of, and to add Sections 16151.5 and 16153.5 to, the Welfare and Institutions Code, relating to early childhood education, and making and appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1302, as amended, Dymally. ~~Education~~ *Early childhood education*.

States legislative intent re establishment of statewide program for early childhood education.

Defines "educational program for early childhood education" as the entire school/sponsored offering for pupils, other than exceptional children, in early primary classes, kindergarten, and grades 1 through 3, including in/class and out/of/class activities.

Requires State Board of Education to establish comprehensive program for early childhood education at

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specified levels.

Authorizes governing boards of school districts maintaining specified grade levels to develop master plans for early childhood level in the 1972-73 fiscal year.

~~Permits, beginning with 1972/1973 school year, and requires beginning with 1976/1977 school year, each school district maintaining kindergarten and specified elementary grades, to submit to department of education for approval, a master plan for early childhood education.~~

Requires such school districts to develop and submit master plans by 1976-77 school year.

Authorizes governing boards to develop and submit joint master plans to Department of Education.

~~Specifies criteria to be contained in master plan.~~

Requires master plans to include comprehensive statement setting forth district's educational program.

~~Specifies factors to be considered by State Board of Education in establishing preferences and priorities among school districts for purpose of apportioning state funds appropriated for implementation of early childhood education programs.~~

Requires State Board of Education to establish standards and criteria in evaluating district plans which shall include specified standards and criteria and specifies that the State Board of Education shall approve a plan which provides for initiation of classes for pupils who have attained the age of 3 years and 9 months unless such provisions contain a restructuring of kindergarten and grades one through three.

Authorizes State Board of Education to condition future allowances on a priority basis and apportioning allowances thereby, and authorizes scheduled increases thereof on school district's meeting objectives contained in master plan.

~~Authorizes State Board of Education to establish performance objectives in reading and mathematics for pupils participating in early childhood education programs.~~

Requires State Board of Education to adopt reading and mathematics objectives by 1975-76 school year, and allows the board to take all actions necessary to reach objectives.

~~Establishes schedule of allowances to school districts for purposes of early childhood educational programs, including~~

~~additional allowances for pupils with special educational needs.~~

Provides for allowances to districts with approved master plans in three specified classes.

Provides for additional allowances to pupils having demonstrable educational needs in three specified classes.

Authorizes Superintendent of Public Instruction to reduce district apportionments in accordance with amounts received pursuant to allowances for specialist teachers.

Requires Superintendent of Public Instruction to apportion funds.

Prescribes child enrollment procedure for early primary class, minimum school day, and computation of average daily attendance.

Specifies age for admission to an early childhood education program as 3 years and 9 months.

Specifies minimum schoolday for pupils in early childhood education classes as 180 minutes, including recesses.

~~Appropriates funds for fiscal years 1973/1974 through 1977/1978, for purposes of early childhood education programs. Requires that of funds so appropriated, so much thereof as is needed shall be used to match federal funds to support pupils eligible under the Social Security Act for public social services. Authorizes Department of Education to allocate funds appropriated for specified compensatory preschool programs, to augment preschool, children's center, group child care, and early childhood educational programs.~~

Declares legislative purpose in having program of transportation of pupils attending early primary classes and permits the governing board of any school district to transport pupils or parents attending such classes maintained for pupils who have attained the age of 3 years and 9 months.

Appropriates funds, in varying amounts, to the Superintendent of Public Instruction for providing state reimbursements for such transportation for each of the fiscal years from 1973-74 through 1977-78, inclusive.

Includes group child care and early childhood education programs within scope of various existing provisions relating to preschool, children's center, and day care programs, and excludes day care programs from such provisions.

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Requires Department of Social Welfare to contract with Department of Education to provide system of prescribed social services for children and families of children enrolled in an early childhood education program. Prohibits making of any per capita reimbursements under such social services on account of any school district not meeting prescribed standards for educational component of a program.

Makes appropriations of specified amounts from the General Fund to the Department of Education for purposes of specified early childhood education programs for 1973–1974, 1974–1975, 1975–1976, 1976–1977, and 1977–1978 fiscal years.

Makes provision re use of certain other funds for purposes of early childhood education programs contingent upon enactment of ~~unspecified Assembly Bill~~ *AB 1283*.

Vote—Majority; Appropriation—Yes;
Fiscal Committee—Yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6.1 (commencing with Section
2 6445) is added to Division 6 of the Education Code, to
3 read:

4
5 CHAPTER 6.1. EARLY CHILDHOOD EDUCATION
6

7 ~~6445. The Legislature hereby finds and declares that~~
8 *6445. For the purposes of this chapter, “early*
9 *childhood education programs” are defined as all*
10 *educational programs, except those for exceptional*
11 *children as defined in Section 6870, offered in the public*
12 *school system, including in-class and out-of-class*
13 *activities, for children age 3 years and 9 months, to 8 years*
14 *under a local school-by-school comprehensive master*
15 *plan approved by the State Board of Education which is*
16 *designed to assure:*

17 *(a) A comprehensive restructuring of primary*
18 *education in California kindergarten through third grade*
19 *to more fully meet the unique needs, talents, interests*
20 *and abilities of each child.*

1 ***(b) That early educational opportunities are made***
2 ***available to children who are 3 years and 9 months of age***
3 ***to take advantage of the capacity for learning of children***
4 ***at this age level.***

5 ***(c) The cooperation and participation of parents in***
6 ***the educational program to the end that the total***
7 ***community is involved in the development of the***
8 ***program.***

9 ***(d) The pupils participating will develop an increased***
10 ***competency in the skills necessary to the successful***
11 ***achievement in later school subjects such as reading,***
12 ***language, and mathematics.***

13 ***(e) Maximize the use of existing state and federal***
14 ***funds in the implementation of early childhood***
15 ***education programs.***

16 ***6445.1. The Legislature hereby finds and declares***
17 ***that a comprehensive program of early childhood***
18 ***education is needed to restructure public education in***
19 ***California. The Legislature, therefore, declares its intent***
20 ***to require that the State Board of Education develop a***
21 ***comprehensive program for children ages 3 years and 9***
22 ***months, to 8 years. The objectives of this plan will include***
23 ***assurance that each child will have an individualized***
24 ***program to permit the development of his maximum***
25 ***potential and that all pupils who have completed the***
26 ***third grade of the state's educational system will have***
27 ***achieved a level of competence in the basic skills of***
28 ***reading, language, and mathematics sufficient to***
29 ***continued success in their educational experiences. The***
30 ***system will be based on the development of a local***
31 ***school-by-school master plan for early childhood***
32 ***education which shall include a phase-in program based***
33 ***on an increase in the number of schools in the state***
34 ***participating each year until maximum participation is***
35 ***achieved.***

36 ***a comprehensive and coordinated program of early***
37 ***childhood education developed by the State Board of***
38 ***Education is needed to improve and restructure public***
39 ***education in California. The Legislature declares its***
40 ***intent to require that the State Board of Education***

1 establish a comprehensive program for early childhood
 2 education for children in early primary, kindergarten,
 3 and grades 1 through 3; through a system for the
 4 development of a local master plan for early childhood
 5 education. Such system shall include a phased/in program
 6 based on an increase in the number of schools in the state
 7 participating each year until maximum participation is
 8 achieved; the coordination of all available state and
 9 federal funding sources; maximizing available federal
 10 funds; and the elements specified in Section 6445.4.

11 6445.1. As used in this chapter:

12 (a) "Early childhood education" includes all
 13 educational programs, except programs or classes for
 14 exceptional children as defined in Section 6870, offered in
 15 early primary classes, kindergartens, and grades 1 to 3,
 16 inclusive; or in any one or more such classes or grades.

17 (b) "Educational program for early childhood
 18 education" means the entire school/sponsored offering
 19 for pupils, except for exceptional children defined in
 20 Section 6870, in early primary classes, kindergartens, and
 21 grades 1 to 3, inclusive; including in/class and out/of/class
 22 activities.

23 (c) "Early primary grade" or "early primary class"
 24 means a class established pursuant to Education Code
 25 Section 6446.

26 (d) "Department" means the Department of
 27 Education.

28 6445.2. Beginning with the 1972-1973 school year,
 29 fiscal year each school district maintaining kindergarten,
 30 and grades 1 to 3, inclusive, or any one or more such class
 31 or grade, may develop and submit to the ~~department~~
 32 *Department of Education* for approval a master plan for
 33 early childhood education. Each such school district shall
 34 submit *to the Department of Education for approval* a
 35 master plan for early childhood education ~~to the~~
 36 ~~department~~ no later than the 1976-1977 school year.
 37 Application shall be made in accordance with rules and
 38 regulations adopted by the State Board of Education.

39 6445.3. The governing boards of ~~two or more any~~
 40 school districts maintaining any such class or grade may,

1 with the approval of the ~~department~~ *Department of*
 2 *Education*, develop and submit for approval a joint
 3 master plan for early childhood education.

4 6445.4. A master plan for early childhood education
 5 shall include a comprehensive statement setting forth the
 6 district's educational program for early childhood
 7 education. The State Board of Education shall establish
 8 standards and criteria to be used in the evaluation of
 9 plans submitted by school districts. Such standards *and*
 10 *criteria for review and approval of plans by the State*
 11 *Board of Education* shall include, but need not be limited
 12 to ; ~~criteria to insure that approved plans make~~ provision
 13 for:

14 (a) ~~An assessment~~ *Assessment* of educational needs of
 15 ~~the district~~.

16 (b) *A program of restructuring of kindergarten*
 17 *through third grade.*

18 ~~(b)~~ (c) Opportunities for ~~early primary education~~
 19 ~~provided by the district~~ *educational programs for pupils*
 20 *three years and nine months of age including children's*
 21 *center, day care, preschool, and child care services.*

22 ~~(c)~~ (d) Defined and measurable program objectives.

23 ~~(d)~~ *A carefully articulated program from early*
 24 *primary through grade 3.*

25 (e) *A local program designed to systematically phase*
 26 *into the program all the schools of the district in no more*
 27 *than five years.*

28 ~~(e)~~ (f) Coordination of all district resources with the
 29 objectives of the local plan.

30 ~~(f)~~ (g) Emphasis on an individualized diagnostic
 31 approach to instruction.

32 ~~(g)~~ ~~Strong parental~~ (h) *Parental and community*
 33 *involvement.*

34 ~~(h)~~ (i) Staff development and inservice training.

35 ~~(i)~~ (j) Transportation of pupils participating in the
 36 program.

37 ~~(j)~~ (k) Evaluation of the program.

38 6445.5. ~~In approving master plans for early childhood~~
 39 ~~education the department shall give preference to those~~
 40 ~~districts which have the largest number of pupils~~

1 determined to have special educational needs and the
2 least financial ability to provide funds for early childhood
3 education. The State Board of Education shall adopt
4 regulations setting forth criteria for determining special
5 educational needs, taking into consideration such factors,
6 among others, as low family income and low level of
7 academic achievement.

8 ~~6445.6.~~ The State Board of Education shall adopt
9 standards setting forth priorities for allowances under
10 this chapter. Until such time as allowances are granted for
11 the benefit of all pupils eligible in a district a minimum
12 of 50 percent of the amount allowed to the district in any
13 one year shall be allocated for the benefit of pupils with
14 special educational needs as determined pursuant to
15 criteria established in accordance with Section ~~6445.5.~~
16 Such standards may provide that allowances to a district
17 shall be provided on a phase/in basis rather than to all
18 pupils eligible therefor under Sections ~~6445.8 and 6445.9.~~

19 *The State Board of Education shall not approve a plan*
20 *which provides for the initiation of classes for pupils who*
21 *have attained the age of 3 years and 9 months unless it*
22 *also contains provisions for restructuring kindergarten*
23 *and grades 1 through 3.*

24 *6445.5. School districts with master plans for early*
25 *childhood education approved pursuant to Section 6445.4*
26 *shall be eligible for allowances authorized under Sections*
27 *6445.12, 6445.13, and 16821. Such allowances shall be*
28 *apportioned to the extent that funds are available on a*
29 *priority basis in accordance with a schedule established*
30 *by the State Board of Education.*

31 *6445.6. In apportioning allowances in accordance*
32 *with Section 6445.5 for early childhood education, the*
33 *Department of Education shall give highest priority to*
34 *(1) those districts which have the largest number of*
35 *pupils determined to have educational need, and (2)*
36 *those districts with the lowest measure of assessed*
37 *valuation per pupil and making the most significant*
38 *property tax effort.*

39 *The State Board of Education shall adopt regulations*
40 *setting forth criteria for the determination of educational*

1 *need which shall be based on such factors as a low level*
2 *of pupil achievement and a low level of family income.*
3 *6445.7. Districts receiving allowances pursuant to this*
4 *chapter shall provide that a minimum of 50 percent of the*
5 *amount allowed to the district in any one year shall be*
6 *designated for schools with the largest number of pupils*
7 *with educational need identified pursuant to Section*
8 *6445.6 until such time as allowances are authorized for all*
9 *schools.*

10 *6445.8. The State Board of Education may further*
11 *provide that if , upon its determination ; that a district has*
12 *not met the objectives of its approved plan, allowances*
13 *shall not be increased in accordance with the phase-in*
14 *schedule of the district's approved plan. The board may*
15 *provide that the failure of a district, over a designated*
16 *period, to meet the objectives of its approved plan shall*
17 *subject the district to a termination of allowances under*
18 *this chapter. shall provide for an annual review of the*
19 *success of each local district in meeting the objectives of*
20 *its approved plan for early childhood education. The*
21 *board shall adopt rules and regulations governing the*
22 *termination of allowances to districts which are*
23 *unsuccessful in meeting the objectives of their approved*
24 *plan.*

25 ~~6445.7~~ *6445.9. The State Board of Education shall*
26 *adopt pupil performance objectives in reading and*
27 *mathematics for use in district early childhood education*
28 *programs not later than the 1975-1976 school year. The*
29 *board may is authorized to take all actions necessary to*
30 *effect the development, testing, validation, adoption and*
31 *implementation of such objectives.*

32 *6445.10. (a) Each district with an approved master*
33 *plan shall submit to the Department of Education a*
34 *report of its early childhood education program. Such*
35 *report shall be submitted in a form and manner and at*
36 *such times, but not less than annually, as prescribed by*
37 *the State Board of Education. The report shall include,*
38 *but not be limited to, factors relating to:*

39 *(1) Fiscal expenditures.*

40 *(2) Degree and success of program implementation.*

1 (3) *Quantitative estimate of pupil progress.*

2 (b) *The Department of Education shall derive a*
 3 *composite score for each school which shall be obtained*
 4 *from each of the three factors listed in paragraphs (1),*
 5 *(2), and (3) of subdivision (a). In determining such score,*
 6 *the Department of Education shall, for the first year of*
 7 *participation by the school, assign a weight of 20 percent*
 8 *for factor (1), 70 percent for factor (2), 10 percent for*
 9 *factor (3). For the second year of participation by the*
 10 *school, the factors shall be assigned a weight of 10 percent*
 11 *for factor (1), 50 percent for factor (2), 40 percent for*
 12 *factor (3). For the third and each subsequent year of*
 13 *participation, only factors (2) and (3) shall be considered*
 14 *and shall receive equal weighting.*

15 6445.11. *The Department of Education shall compute*
 16 *an index of student attainment for each participating*
 17 *school, using factors which have been shown to be*
 18 *predictive of school success. The obtained score for each*
 19 *school shall be weighted by the degree this score meets*
 20 *or exceeds the predicted school achievement level.*
 21 *Obtained scores falling below the predicted level of*
 22 *attainment shall be treated as a zero score. The*
 23 *Department of Education shall inform each participating*
 24 *district of the relative performance of their participating*
 25 *schools. Such data shall regularly be analyzed and*
 26 *evaluated and submitted to the Legislature in the form of*
 27 *an annual report not later than the fifth legislative day of*
 28 *each regular session of the Legislature.*

29 ~~6445.8~~ 6445.12. *From the funds appropriated therefor*
 30 *by the Legislature to the ~~department~~ Department of*
 31 *Education for the purposes of this chapter, the*
 32 *Superintendent of Public Instruction shall allow to each*
 33 *~~school district with an approved master plan, school~~*
 34 *~~districts with approved master plans~~ for the education of*
 35 *children pursuant to such ~~plan an amount equal to plans~~ :*
 36 (a) *Five hundred dollars (\$500) per pupil in average*
 37 *daily attendance in the district in each ~~early primary class~~*
 38 *~~class maintained for pupils who have attained the age of~~*
 39 *~~3 years and 9 months.~~*

40 (b) *One hundred thirty dollars (\$130) per pupil in*

1 average daily attendance ~~in the district~~ in each
2 kindergarten class.

3 (c) One hundred thirty dollars (\$130) per pupil in
4 average daily attendance ~~in the district~~ in grades 1 to 3,
5 inclusive.

6 ~~6445.9~~ 6445.13. In addition to the allowances
7 provided for in Section ~~6445.8~~ 6445.12, the
8 Superintendent of Public Instruction ~~shall allow to each~~
9 ~~school district having an approved master plan, on~~
10 ~~account of pupils having demonstrated special~~
11 ~~educational needs, as determined in accordance with~~
12 ~~Section 6445.5, an amount equal to: shall provide grants~~
13 ~~for pupils determined by him to have demonstrated~~
14 ~~educational need, in accordance with Section 6445.6, as~~
15 ~~follows:~~

16 (a) One hundred dollars (\$100) per pupil in average
17 daily attendance ~~in the district in each early primary class~~
18 ~~in each class for pupils who have attained the age of 3~~
19 ~~years and 9 months.~~

20 (b) Sixty-five dollars (\$65) per pupil in average daily
21 attendance ~~in the district~~ in each kindergarten class.

22 (c) Sixty-five dollars (\$65) per pupil in average daily
23 attendance ~~in the district~~ in grades 1 to 3, inclusive.

24 ~~6445.10. Funds available for allowances by the~~
25 ~~Superintendent of Public Instruction pursuant to Article~~
26 ~~5 (commencing with Section 5789) of Chapter 5.8 of~~
27 ~~Division 6 of the Education Code to each school district~~
28 ~~which is also eligible for allowances under this chapter~~
29 ~~are hereby reappropriated for allowances to such districts~~
30 ~~under this chapter.~~

31 6445.14. In computing allowances authorized
32 pursuant to Section 6445.12 the Superintendent of Public
33 Instruction shall reduce such allowances by the amount
34 per pupil apportioned pursuant to Article 5
35 (commencing with Section 5789) of Division 6.

36 ~~6445.11~~ 6445.15. Allowances under this chapter shall
37 be made by the Superintendent of Public Instruction
38 from funds appropriated therefor by the Legislature. The
39 allowances shall be made as early as practicable in the
40 fiscal year and upon order of the Superintendent of

1 Public Instruction the State Controller shall draw his
2 warrants upon the money appropriated, in favor of the
3 eligible districts in the amounts ordered.

4 *6445.16. The Department of Education shall*
5 *continuously monitor and review to assure that all funds*
6 *appropriated to school districts under this chapter are*
7 *expended for the purposes intended.*

8 *6445.17. Allowances shall not be granted under this*
9 *chapter to a district unless the fiscal effort of the district*
10 *with respect to early childhood education for any fiscal*
11 *year of participation under this chapter was not less than*
12 *the fiscal effort for that purpose for the fiscal year*
13 *preceding the district's participation under this chapter.*

14 *6445.18. Allowances shall not be granted to a district*
15 *unless the fiscal effort of that district with respect to each*
16 *child participating in the early childhood education*
17 *program for any fiscal year of participation under this*
18 *chapter is no less than the fiscal effort of the district per*
19 *elementary child not participating in the early childhood*
20 *education program. The Department of Education shall*
21 *annually review individual district expenditures to assure*
22 *the comparability of local support based on rules and*
23 *regulations adopted by the State Board of Education*
24 *which take into account growth in district enrollment*
25 *and increases in district costs.*

26 ~~6445.12~~ *6445.19.* The State Board of Education shall
27 have the power to adopt and promulgate all rules and
28 regulations necessary to the effective administration of
29 this chapter, including, but not necessarily limited to,
30 those specifically required to be adopted by particular
31 provisions of this chapter.

32 ~~6445.13~~ *6445.20.* The governing board of the school
33 district, in its application for approval of a master plan,
34 may request waiver of the provisions of any section or
35 sections of this code if such waiver is necessary to
36 establish and operate an early childhood education
37 program. The need for waiver shall be explained and
38 justified in the application. The Superintendent of Public
39 Instruction, with approval of the State Board of
40 Education, may grant, in whole, or in part, any such

1 request when, in the opinion of the Superintendent of
 2 Public Instruction, failure to grant such request would
 3 hinder the implementation and maintenance of the
 4 district's program.

5 6445.21. A school district in its application for
 6 approval of a master plan for early childhood education
 7 may include children's center services as provided for in
 8 Section 16603.

9 6446. The governing board of any school district
 10 which has had a master plan for early childhood
 11 education approved by the ~~department~~ Department of
 12 Education shall establish and maintain ~~sufficient number~~
 13 ~~of early primary classes~~ such number of classes for pupils
 14 who have attained the age of 3 years and 9 months, as are
 15 necessary to implement such approved master plan for
 16 children ~~residing in the district~~ who living in the district
 17 that are eligible for admission pursuant to Section 6446.1
 18 but are not eligible for admission pursuant to Section 5254
 19 and whose parents or guardians present them for
 20 admission.

21 6446.1. A child may be admitted to ~~an early primary~~
 22 a class established pursuant to Section 6446 ~~only in any~~
 23 term during the first school month of the term ~~and only~~
 24 ~~if he is then~~ if he is of the age prescribed. For good cause
 25 the governing board of a school district may permit a
 26 child of the proper age to be admitted to the class after
 27 the first school month of the school term.

28 If there is but one term during the school year, the
 29 child shall be three years and nine months of age on or
 30 before September 1 of the current school year. If there
 31 are two terms maintained during the school year, the
 32 child shall be three years and nine months on or before
 33 September 1 of the current school year, ~~to before he may~~
 34 be admitted in the first term of the school year, or three
 35 years and nine months of age on or before February 1 of
 36 the current school year, ~~to before he may~~ be admitted in
 37 the second term in any school year.

38 As part of a master plan approved under Section 6445.4
 39 school districts may authorize admission of any child who
 40 is four years of age regardless of time of admission in the

1 *school year.*

2 6446.2. The State Board of Education shall establish
3 minimum standards authorizing service of instructional
4 personnel in ~~early primary classes~~ *classes established*
5 *pursuant to Section 6446.*

6 6446.3. The minimum schoolday for ~~pupils in early~~
7 ~~primary classes~~ *classes established pursuant to Section*
8 *6446* is 180 minutes inclusive of recesses.

9 6446.4. The computation of average daily attendance
10 in ~~early primary classes~~ *classes established pursuant to*
11 *Section 6446* for the purpose of determining allowances
12 under Sections ~~6445.8 and 6445.9~~ *6445.12 and 6445.13*,
13 shall be as prescribed in Section 11301. Sections 10951 to
14 10955, inclusive, and Sections 11001, 11002, 11007 and
15 11301.6 shall apply to ~~early primary classes~~.

16 6446.5. So much of the ~~money allocated for~~
17 ~~allowances pursuant to Section 6445.9~~ *moneys*
18 *appropriated for allowances pursuant to Section 6445.12*,
19 as is needed, shall be for the purpose of providing state
20 funds to ~~match~~ *be matched with* available federal funds
21 to support those pupils eligible under the Social Security
22 Act for public social services. Federal reimbursement
23 shall be obtained by the Department of Social Welfare for
24 services to children of those families, designated by the
25 State Department of Education, eligible for federal
26 financial participation under the Social Security Act. The
27 State Department of Social Welfare and the State
28 Department of Education shall enter into a contract
29 wherein the Department of Education agrees to provide
30 educational services for such pupils wherein the
31 Department of Social Welfare agrees to pay to the
32 Department of Education all costs of services to
33 participants.

34 ~~6446.6. Nothing in this chapter shall be construed to~~
35 ~~sanction, perpetuate, or promote the racial or ethnic~~
36 ~~segregation of pupils in the public schools.~~

37 SEC. 2. Section 16601.5 of the Education Code is
38 amended to read:

39 16601.5. The facilities used for any children's center
40 established pursuant to this chapter shall first be used for

1 children of families meeting the conditions of Section
2 16603.1 and may then be made available for children
3 eligible for any children's center, preschool or group
4 child care program, authorized by the laws of this state,
5 and any early childhood education program conducted
6 under Chapter 6.1 (commencing with Section 6445) of
7 Division 6.

8 The Department of Education shall develop guidelines
9 and procedures for allocating funds appropriated for
10 compensatory preschool educational programs as
11 defined in Section 16151 of the Welfare and Institutions
12 Code to augment preschool, children's center, and group
13 child care programs, and early childhood education
14 programs conducted under Chapter 6.1 (commencing
15 with Section 6445) of Division 6. Any moneys
16 appropriated for such purpose in any fiscal year which
17 are not expended may be carried over into the next
18 succeeding fiscal year, and shall be available for
19 expenditure in such fiscal year in addition to those funds
20 appropriated for such purpose for such year.

21 SEC. 3. Section 16602.5 is added to the Education
22 Code, to read:

23 16602.5. A school district in its application for
24 approval of a master plan for early childhood education
25 pursuant to Chapter 6.1 (commencing with Section 6445)
26 of Division 6 shall include children's centers' services as
27 provided for in this chapter.

28 SEC. 4. Section 16602.6 is added to the Education
29 Code, to read:

30 16602.6. The term "elementary school" contained in
31 Section 425 of the United States Code (the National
32 Defense Education Act of 1958, P.L. 85-864 as amended)
33 shall include early primary, and preschool classes,
34 including preschool classes in children's centers, for the
35 purpose of the cancellation provisions of the Loans to
36 Students in Institutions of Higher Learning.

37 SEC. 5. Article 1.5 (commencing with Section 16820)
38 is added to Chapter 1 of Division 13 of the Education
39 Code, to read:

1 Article 1.5. Transportation for Early
2 Primary Pupils
3

4 16820. The Legislature hereby declares that a
5 comprehensive program of early childhood education is
6 necessary to improve and restructure public education in
7 California so as to provide each pupil with an opportunity
8 for the early development of primary skills. The program
9 shall include classes maintained for pupils, who have
10 attained the age of 3 years and 9 months, as an integral
11 part of early childhood education.

12 The Legislature further finds that the transportation of
13 pupils in such classes to and from school is an essential
14 aspect of such program and a necessary part of any
15 educational program designed for such children.

16 16821. Notwithstanding any other provision of law,
17 the governing board of any school district may provide
18 for the transportation to and from school of pupils who
19 have attained the age of 3 years and 9 months and are
20 enrolled in classes established pursuant to Section 6446,
21 whenever in the judgment of the board, such
22 transportation is advisable and good reasons exist
23 therefor. A governing board may allow for the
24 transportation of parents of pupils enrolled in such classes
25 for the purpose of accompanying their children to and
26 from the attendance center offering such early primary
27 classes.

28 Children meeting the eligible age requirement for
29 enrollment in such class who are attending a children's
30 center, child day care center, or preschool program
31 operated by a public or private agency are deemed to be
32 enrolled in such class for the purpose of this section.

33 Districts shall receive state reimbursements for the
34 transportation of such pupils pursuant to Article 10
35 (commencing with Section 18051) of Chapter 3 of
36 Division 14 of the Education Code.

37 SEC. 6. There is hereby appropriated from the
38 General Fund to the Superintendent of Public
39 Instruction for the purpose of providing state
40 reimbursement for the transportation of pupils pursuant

1 to Section 16821, amounts for transfer to augment
 2 subdivision (b) of Section 17303.5 of the Education Code
 3 and which shall be made available for expenditure as
 4 follows:

5 (a) For the fiscal year 1973-74, eight hundred
 6 sixty-nine thousand eight hundred fifty dollars
 7 (\$869,850).

8 (b) For the fiscal year 1974-75, two million
 9 twenty-nine thousand six hundred fifty dollars
 10 (\$2,029,850).

11 (c) For the fiscal year 1975-76, three million one
 12 hundred eighty-nine thousand four hundred fifty dollars
 13 (\$3,189,450).

14 (d) For the fiscal year 1976-77, four million three
 15 hundred forty-nine thousand two hundred fifty dollars
 16 (\$4,349,250).

17 (e) For the fiscal year 1977-78, five million seven
 18 hundred ninety-nine thousand dollars (\$5,799,000).

19 Any moneys made available for expenditure under this
 20 section in any such fiscal year which are not expended
 21 may be carried over into the next succeeding fiscal year,
 22 and shall be available for expenditure in such fiscal year
 23 in addition to those funds otherwise made available by
 24 this section for such year.

25 ~~SEC. 5~~ SEC. 7. The heading of Chapter 2.5
 26 (commencing with Section 16150) of Part 4 of Division 9
 27 of the Welfare and Institutions Code is amended to read:

28
 29 CHAPTER 2.5. PRESCHOOL, CHILDREN'S CENTER,
 30 GROUP CHILD CARE, AND EARLY CHILDHOOD
 31 EDUCATION PROGRAMS
 32

33 ~~SEC. 6~~ SEC. 8. Section 16150 of the Welfare and
 34 Institutions Code is amended to read:

35 16150. The Legislature finds and declares that
 36 preschool programs with a strong educational
 37 component are of great value to all children in preparing
 38 them for success in school, and constitute an essential
 39 component of public social services as defined in Section
 40 16151. The Legislature further finds that such programs

1 are often not available to many children who, because of
2 the low income of their families, parents in training, or
3 minimal employment, are deprived of adequate care and
4 this valuable educational experience. Therefore, it is the
5 intention of the Legislature in enacting this chapter to
6 provide equal educational opportunity to children of
7 low-income or disadvantaged families through
8 appropriate arrangements for preschool, children's
9 center, group child care, and early childhood education
10 programs of an educational value to be developed in
11 accordance with a contractual agreement between the
12 State Department of ~~Health~~ *Social Welfare* and the State
13 Department of Education. The Legislature believes that
14 the introduction of young children to an atmosphere of
15 learning will improve their performance and increase
16 their motivation and productivity when they enter
17 school. In order to achieve this end, all programs
18 established under this chapter shall be centered upon a
19 defined educational program developed, conducted, and
20 administered with the maximum feasible participation of
21 the families served by the program.

22 ~~SEC. 7~~ *SEC. 9*. Section 16151.5 is added to the
23 Welfare and Institutions Code, to read:

24 16151.5. The State Department of Social Welfare shall
25 enter into a contract with the State Department of
26 Education to provide for a statewide system of social
27 services for children educated under an early childhood
28 education master plan pursuant to Chapter 6.1
29 (commencing with Section 6445) of Division 6 of the
30 Education Code, to be established by school districts for
31 children and families who meet the requirement for
32 services under Education Code Section 6446.5. Social
33 services shall include those provided for in Section 10053
34 and in Part 3 (commencing with Section 11000) of
35 Division 9 of this code and the federal Social Security Act
36 Amendments of 1967.

37 ~~SEC. 8~~ *Sec. 10*. Section 16153.5 is added to the
38 Welfare and Institutions Code, to read:

39 16153.5. Notwithstanding any other provision of this
40 code, the State Department of Social Welfare shall not

1 provide any per capita reimbursement pursuant to
2 Section 16151.5 on account of any local school district
3 program established pursuant to this chapter which does
4 not meet the educational standards established by the
5 State Board of Education.

6 All programs established pursuant to this chapter shall
7 meet the requirements of Section 107 of Public Law
8 90-222 (Economic Opportunity Amendments of 1967).

9 The State Department of Social Welfare shall have only
10 such functions, duties and responsibilities with respect to
11 early childhood education programs conducted pursuant
12 to Chapter 6.1 (commencing with Section 6445) of
13 Division 6 of the Education Code as is required by law
14 and federal regulations.

15 ~~Sec. 9~~ *Sec. 11*. There is hereby appropriated from
16 the General Fund to the ~~Superintendent of Public~~
17 ~~Instruction~~ *Department of Education* for the purposes of
18 Chapter 6.1 (commencing with Section 6445) of Division
19 6 of the Education Code, the following amounts:

20 (a) For allowances under Section ~~6445.8~~ *6445.12*
21 amounts which shall be made available for expenditure as
22 follows:

23 (1) For the fiscal year 1973-1974, forty-four million
24 five hundred forty-four thousand dollars (\$44,544,000).

25 (2) For the fiscal year 1974-1975, one hundred three
26 million nine hundred thirty-six thousand dollars
27 (\$103,936,000).

28 (3) For the fiscal year 1975-1976, one hundred
29 sixty-three million three hundred twenty-eight thousand
30 dollars (\$163,328,000).

31 (4) For the fiscal year 1976-1977, two hundred
32 twenty-two million seven hundred twenty thousand
33 dollars (\$222,720,000).

34 (5) For the fiscal year 1977-1978, two hundred
35 ninety-six million nine hundred sixty thousand dollars
36 (~~\$296,960,000~~).

37 (b) For the purposes of subdivision (a) of Section
38 ~~6445.9~~ *6445.13*, amounts which shall be made available for
39 expenditure as follows:

40 (1) For the 1973-1974 fiscal year, one million eight

1 hundred twenty-seven thousand seven hundred fifty
2 dollars (\$1,827,750).

3 (2) For the 1974-1975 fiscal year, four million two
4 hundred sixty-four thousand seven hundred fifty dollars
5 (\$4,264,750).

6 (3) For the 1975-1976 fiscal year, six million seven
7 hundred one thousand seven hundred fifty dollars
8 (\$6,701,750).

9 (4) For the 1976-1977 fiscal year, nine million one
10 hundred thirty-eight thousand seven hundred fifty
11 dollars (\$9,138,750).

12 (5) For the 1977-1978 fiscal year, twelve million one
13 hundred eighty-five thousand dollars (\$12,185,000).

14 (c) For the purposes of subdivisions (b) and (c) of
15 Section ~~6445.9~~ 6445.13, amounts which shall be made
16 available for expenditure as follows:

17 (1) For the 1973-1974 fiscal year, six million five
18 hundred sixty-six thousand five hundred thirty-seven
19 dollars (\$6,566,537).

20 (2) For the 1974-1975 fiscal year, fifteen million three
21 hundred twenty-one thousand nine hundred twenty
22 dollars (\$15,321,920).

23 (3) For the 1975-1976 fiscal year, twenty-four million
24 seventy-seven thousand three hundred three dollars
25 (\$24,077,303).

26 (4) For the 1976-1977 fiscal year, thirty-two million
27 eight hundred thirty-two thousand six hundred eighty-six
28 dollars (\$32,832,686).

29 (5) For the 1977-1978 fiscal year, forty-three million
30 seven hundred seventy-six thousand nine hundred
31 fifteen dollars (\$43,776,915).

32 (d) The sum of five hundred thousand dollars
33 (\$500,000) for the administration by the State
34 Department of Education of the provisions of Chapter 6.1
35 (commencing with Section 6445) of Division 6 of the
36 Education Code.

37 Any moneys made available for expenditure under this
38 section in any such fiscal year which are not expended
39 may be carried over into the next succeeding fiscal year,
40 and shall be available for expenditure in such fiscal year

1 in addition to those funds otherwise made available by
2 this section for such year.
3 ~~SEC. 10~~ SEC. 12. A master plan for early childhood
4 education shall provide that to the extent feasible, funds
5 allocated to the district pursuant to Chapter 6.10
6 (commencing with Section 6499.230) of Division 6 of the
7 Education Code, as added by Assembly Bill No. 11
8 1283, shall be for purposes of Chapter 6.1 (commencing
9 with Section 6445) of Division 6 of the Education Code.
10 This section shall become operative only if Chapter 6.10
11 (commencing with Section 6499.230) is added to Division
12 6 of the Education Code by Assembly Bill No. 11 1283
13 of the 1972 Regular Session.