

# SUBCOMMITTEE NO. 1

# Agenda

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Senator Richard D. Roth, Chair

Senator Connie M. Leyva

Senator Mike Morrell



**Thursday, May 9, 2019**

**9:30 a.m. or upon adjournment of session**

**State Capitol - Room 3191**

Consultants: Elisa Wynne and Anita Lee

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**VARIOUS DEPARTMENTS****Issue 1: Additional Budget Requests – Early Education and K-12 Education****1A. English Learner Roadmap**

**Budget Request:** Appropriate \$13 million in one-time funding over a 3-year period to create the English Learner Roadmap Initiative. The funding would develop comprehensive “Communities of Practice” at the state and regional level to help build the capacity of educators, including professional development and additional rollout of the EL Roadmap. Of the total, \$12 million would be administered through a grant program under the CDE in collaboration with the California Collaborative for Educational Excellence. The remaining \$1 million would be used to cover administrative costs of the program.

**1B. Armenian Genocide Benevolent Union**

**Budget Request:** Appropriate \$500,000 in one-time funding for the Armenian Genocide Benevolent Union (AGBU) Generation Next (GenNext) Program. GenNext currently operates as a partnership with the Glendale Unified School District (GUSD) and provides targeted mentoring for youth ages 12-18 who face risk factors such as gang involvement, mental health, drug abuse, and poverty. The additional funds would be used to expand GenNext to support additional mentees and establish programs and workshops that meet needs in the community in areas of family involvement, self-esteem, mental health and suicide prevention, foster youth, and homeless aid.

**1C. Early Childhood Nutrition**

**Budget Request:** Appropriate \$16.7 million ongoing funding (\$1 million Proposition 98 and \$15.7 million General Fund) to restore the Child and Adult Care Food Program to child care settings and to increase reimbursement rates for meals in child care settings under a K-12 school authority.

**1D. Breakfast After the Bell**

**Budget Request:** Appropriate \$3 million in one-time funding for use over three years to provide grants to school food authorities to start or expand Breakfast After the Bell programs. Studies have shown that providing breakfast after the start of the school days increases participation in school, and supports the academic achievement, attendance, and health of students. The 2016-17 budget included \$2 million in funds for Breakfast After the Bell grants over the 2016-17 and 2017-18 school year.

**1E. Healthy Start**

**Budget Request:** Appropriate \$60 million over four-years to reestablish the Healthy Start Initiative to coordinate comprehensive, school-community integrated services and activities to improve the health and wellness of youth, and families. Funds would be used for two-year planning grants to establish and support local collaboratives and three-year operational grants to existing collaboratives. Funds would also be used to support staffing at the Department of Education and the Department of Managed Health Care to support the grant program, provide technical assistance, and provide for an evaluation.

**1F. Charter School Facilities Grant Program**

**Budget Request:** Appropriate \$20 million in one-time Proposition 98 funding plus additional growth and COLA funding for the Charter School Facilities Grant Program. The Charter School Facilities Grant Program provides annual assistance with facilities rent and lease expenditures to charter schools that meet eligibility criteria. Charter schools are awarded \$1,147 per unit of classroom-based Average Daily Attendance (ADA), up to 75% of their annual facilities rent and lease costs for the school.

**1G. After School Education and Safety (ASES) Program**

**Budget Request:** Appropriate \$112.8 million in ongoing Proposition 98 funding to fund the ASES program and keep pace with increases in the state minimum wage and cost-of-living. ASES programs serve over 400,000 students daily predominately in high-poverty areas. In the 2017 Budget Act, an increase of \$50 million in ongoing Proposition 98 funding was provided for ASES to raise the daily rate from \$7.50 to \$8.19.

**1H. California-Grown for Healthy Kids Program**

**Budget Request:** Appropriate \$15.3 million in ongoing Proposition 98 funding to establish a non-competitive grant to provide a 10 cent per breakfast reimbursement for California. Eligible school food authorities must serve breakfast universally free in all schools or serve breakfast and lunch free at very high poverty schools.

**1I. California Association of Student Councils**

**Budget Request:** Appropriate \$150,000 in ongoing Proposition 98 funding to support the California Association of Student Councils (CASC). These funds would support need-based scholarships for students to participate in CASC leadership events and for outreach to under-represented regions in the state and low-income students.

**1J. 4-Day School Week**

**Budget Request:** Adopt budget trailer bill language to correct an Education Code Section that ceases funding for schools operating on a full-day week and eliminate related penalties for Leggett Valley Unified School District (Mendocino County) and Big Sur Unified School District (Monterey County). Both school districts operate in remote regions of the state and allows flexibility for student and families in the area.

**1K. Homenetmen Program**

**Budget Request:** Appropriate \$100,000 in one-time funding to support the expansion of the Homenetmen Western Region's Hrashq and Scouting programs. The Homenetmen Western Region's purpose is to promote athletic and scouting programs for the Armenian American youth of California. The additional funding would support Hrashq, which is an Armenian Special Needs Olympics program in hiring staff, obtaining equipment, renting facilities, and other operational costs. The scouting program is affiliated with the Boy Scouts of America (BSA) and funding would be used to support

programs such as cultural training, scout leadership, civic responsibility, CPR and First Aid, BSA badges, events, and the regional scouting jamboree.

### **1L. Local Control Funding Formula (LCFF) Base Funding Increase**

**Budget Request:** Increase the LCFF base funding by providing a cost-of-living-adjustment (COLA) to the LCFF formula of 5.16 percent in place of the COLA of 3.46 percent included in the Governor's budget. This increase in the COLA would provide approximately \$1 billion in additional LCFF funding above the level included in the Governor's budget.

### **1M. Model School Library Standards**

**Budget Request:** Appropriate \$204,000 in one-time General Fund for the California Department of Education to update the Model School Library Standards. The current Model School Library Standards were adopted by the State Board of Education in 2010 and are designed to strengthen school library programs, including providing students with skills and information to become lifelong learners. An updated version of the Model School Library Standards would include digital citizenship and media literacy.

### **1N. Charter Accountability Resources and Support Network (CARSNet)**

**Budget Request:** Appropriate \$18 million over three-years to support CARSNet which provides support guidance, and training for school districts and county offices of education in their oversight of charter schools. CARSNet was established through a five-year federal grant program (through Spring of 2018) and during this time established and funded regional leads that developed best practices and templates for statewide adoption and provided in-depth training on best practices in charter oversight and accountability to authorizers. The funds would increase the number of CARSNet regional leads to 11 and increase the technical assistance provided across the state.

### **1O. LGBTQ Professional Development**

**Budget Request:** Appropriate \$6.5 million in ongoing Proposition 98 funding to support annual training for public school teachers, staff, and community resources for the health and well-being of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) students. This training would create a more supportive and safe learning environment for LGBTQ students by requiring high quality and comprehensive LGBTQ cultural competency training and professional development, including the adoption and implementation of anti-bullying policies, student privacy protections, creation of a welcoming environment, and awareness of mental health issues.

### **1P. Family Child Care Provider Support**

**Budget Request:** Appropriate \$2 million ongoing to support family child care providers by providing the right to collectively bargain with the state for improvements such as a rate increase, and training, creating a training partnership to coordinate training offered to providers with other state efforts on early education, and compiling a list of family child care providers who administer state subsidized child care. Funds would support related workload at the Department of Education, Department of Social Services, and the Public Employment Relations Board.

**1Q. College Readiness Block Grant**

**Budget Request:** Appropriate \$220 million in one-time funding to support college readiness. Of this total, \$200 million would support K-12 local educational agencies in increasing college readiness and competitiveness and \$20 million would be provided to the University of California (UC) to promote student success and retention. In addition, an increase of 2,500 enrollment slots is requested for the UC.

**1R. Child Development Institute**

**Budget Request:** Appropriate \$1.5 million in one-time funding for the development of the Early Child and Family Center in the West San Fernando Valley. The area proposed for the center has a need for high quality child care. The new center will provide high quality educational and parenting programs, developmental and mental health screening, health promotion and intervention services, and resource linkage.

**1S. California Grown Fresh School Meals**

**Budget Request:** Appropriate \$1 million in Proposition 98 funding to extend the California Grown Fresh School Meals grant program established through the 2017 Budget Act to provide funding to school districts to increase California grown fresh fruits and vegetables and onsite preparation of school meals. Grantees may use funds to purchase California-grown foods, purchase equipment necessary to provide school meals to students, provide nutrition education to students, and provide professional development for relevant food service employees regarding the implementation of fresh and healthy school meals. In 2017-18, \$1 million was provided for this program and \$1.5 million was provided in 2018-19.

**1T. Experience Berkeley High School**

**Budget Request:** Appropriate \$75,000 in one-time funding to support the Stiles Hall Experience Berkeley High School which is a free 6-month program that provides Black, Latino, and Native American high school juniors with mentors, tools, and resources to complete a competitive UC college application and the opportunity to get a close, personal look at UC Berkeley. This request would be matched with private contributions.

**1U. ADA Hold Harmless for Paradise Unified School District**

**Budget Request:** Adopt trailer bill to allow Paradise Unified School District to retain its pre-Camp fire average daily attendance (ADA) levels through the 2020-21 fiscal year. In addition, provide for a three-year ADA ramp down period from 2021-22 through 2023-24 to allow the school district to determine and adjust for new long-term ADA projections. The Camp fire destroyed much of the town of Paradise in November 2018 and displaced a majority of the town's residents. As of March 2019, the district's enrollment has decreased by almost half, with more reductions anticipated.

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**1V. Collaborative Teacher Credentialing Program**

**Budget Request:** Appropriate \$1.5 million in one-time funding for the establishment of the California Community College Teacher Credentialing Partnership Pilot Program. Through the program, the Commission on Teacher Credentialing (CTC) in coordination with the State Chancellor's Office to award up to three grants of up to \$500,000 each to collaboratives formed for the purposes of offering one or more teacher credentialing programs at participating community colleges or colleges. These partnerships are intended to provide access to teacher credentials for students in areas that do not have other high education options. This request funds SB 577 (Dodd); Chapter 603, Statutes of 2018.

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**1W. California Promise Neighborhood Program**

**Budget Request:** Appropriate up to \$100 million for the continued operation of existing Promise Neighborhoods located in Los Angeles, San Francisco, Chula Vista, Hayward, and Corning and to add 15 additional neighborhoods through a competitive grant process. Under the Promise Neighborhood program, a lead non-profit agency is selected to coordinate services that include nutrition, health care, education, and employment support. Federal funding for this programs was previously provided under limited-term implementation grants, but has since expired.

**Staff Recommendation:** Hold all items open.

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**Issue 2: Additional Budget Requests – Higher Education****2A. University of California Los Angeles School of Public Affairs Latino Policy and Politics Initiative**

**Budget Request:** Appropriate \$2.5 million annually in core operating support for the UCLA School of Public Affairs Latino Policy and Politics Initiative. This funding will support faculty research, civic engagement and community engagement, strengthen the leadership pipeline, and disseminate data and policy ideas to stakeholders.

**2B. Charles R. Drew University of Medicine and Science**

**Budget Request:** Appropriate \$15 million General Fund to the UC, which will be allocated to support Charles R. Drew University of Medicine and Science. This funding will: (1) increase undergraduate and graduate enrollment by at least 2,000 students in the next five years as well as expand access to post-secondary education for residents of South Los Angeles and similar communities, (2) expand housing on campus, (3) build bio-science research building, (4) develop and implement autonomous medical school, and (5) develop new undergraduate and graduate academic programs.

**2C. Rapid Rehousing**

**Budget Request:** Appropriate \$20 million annually for the Rapid Rehousing grant. This grant will provide an individual or family immediate, temporary assistance for housing search, one-time financial assistance to offset move-in costs, ongoing financial assistance to bridges the gap between household income and housing cost for up to 24 months, and other supportive services to community resources. Funding will be distributed based on proportionate student enrollment at each public postsecondary segment. To qualify for the program, each campus must implement specific reforms, including a policy to prioritize homeless and foster youth students in the timing of the distribution of financial aid. A student must be enrolled at least half time to receive services, however if student falls below halftime, a student may receive services up to six months.

**2D. CSU Wildland and Wildfire Urban Interface Grant Program**

**Budget Request:** Appropriate \$5 million one-time for the CSU to administer the Wildland and Wildfire Urban Interface Grant Program to conduct wildfire research and symposiums, provide education and public outreach, and establish a mechanism to disseminate research results.

**2E. California Council on Science and Technology**

**Budget Request:** Appropriate \$11.5 million one-time to support the California Council on Science and Technology (CCST) as follows: \$6.5 million for the operational costs of the CCST Science Fellows for the next five years and \$5 million would be put in the endowment to match the private seed donation. The 2018-19 budget provided \$350,000 one-time General Fund for this purpose.

**2F. San Jose State University and Alfred E. Alquist State Building**

**Budget Request:** Appropriate \$250,000 General Fund to San Jose State University to begin planning a mix-use housing project on the site of a state-owned Alfred E. Alquist State Building in the City of San Jose.

**2G. California State University Chula Vista**

**Budget Request:** Appropriate \$2 million one-time for a potential campus in Chula Vista.

**2H. California State University Silicon Valley**

**Budget Request:** Appropriate \$1 million one-time to conduct a feasibility study and plan for the creation of CSU Silicon Valley at Canada College's existing campus within the San Mateo County Community College District.

**2I. Lake and Mendocino County Career Technical Education**

**Budget Request:** Appropriate \$1 million one-time to Mendocino College to provide start-up funds for a construction trades career technical education program in Lake and Mendocino counties.

**2J. Assembly Bill 2 (Santiago) and the California College Promise**

**Budget Request:** Appropriate \$66 million to implement Assembly Bill 2 (Santiago), which would authorize but does not require colleges to use funds to waive enrollment fees for two years for full-time students. The Governor's budget proposes \$40 million Proposition 98 General Fund to waive enrollment fees or provide other services for first-time, full-time CCC students in their first two years of college who do not have financial need under the BOG fee waiver program.

**2K. Community College Baccalaureate Pilot Program**

**Budget Request:** Amend existing law to change the deadline on the Legislative Analyst's Office report on the Community College Baccalaureate Pilot Program from July 2021 to February 2020. SB 1406 (Hill), Chapter 612, Statutes of 2018, changed the deadline for the final report from July 1, 2022 to July 1, 2021.

**2L. Whittier City Library Service Upgrades**

**Budget Request:** Appropriate \$4.4 million to renovate, purchase equipment and provide service upgrades at the Whittier library.

**2M. California Humanities**

**Budget Request:** Appropriate \$1 million to the State Library to provide funding for the California Humanities, a nonprofit organization that supports cultural activities.

**2N. Historically Black Colleges and Universities Transfer Pathway**

**Budget Request:** Provide \$81,000 to the community college HBCU Transfer Pathway. This program is currently being funded by a \$500,000 grant through the community college student equity and achievement program.

**2O. California State University Council on Ocean Affairs, Science and Technology**

**Budget Request:** Appropriate \$3 million to the CSU Council on Ocean Affairs, Science and Technology (COAST). COAST is the umbrella organization for marine, coastal and coastal watershed related research and education activities within the CSU. This funding will support student travel and research awards, faculty incentive grants, rapid response grants and staff support.

**2P. CSU Salary Inversion**

**Budget Request:** Appropriate \$100 million to the CSU to address the classified staff salaries and pay differentials between new support staff and currently employed staff. This request is in coordination with AB 369 (Weber), which seeks to reinstate salary steps for CSU classified employees.

**2Q. UCLA Ralph J. Bunche Center for African American Studies**

**Budget Request:** Appropriate \$3.5 million ongoing to the UCLA Ralph J. Bunche Center for African American Studies. The 2018-19 budget provided \$1.8 million one-time for the center.

**2R. CSU Dominguez Hills – Mervyn M. Dymally African American Political and Economic Institute**

**Budget Request:** Appropriate \$700,000 one-time General Fund for the Institute. The 2018-19 budget provided \$1 million in one-time General Fund for the Institute.

**2S. UC Berkeley School of Education – Marcus Foster Fellowship**

**Budget Request:** Appropriate \$1.2 million one-time General Fund to establish the Marcus Foster Research Fellowship at UC Berkeley School of Education in partnership with Marcus Foster Institute. The institute is located in Oakland, and aims to improve educational opportunities and outcomes for students in Oakland.

**2T. CSU Graduate Initiative and Mental Health**

**Budget Request:** Appropriate \$30 million one-time General Fund to support the CSU Graduation Initiative and \$5 million ongoing to meet staffing ratios for counselors and improve student mental health services at the CSU.

**Staff Recommendation:** Hold all requests open.

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**6100 DEPARTMENT OF EDUCATION****Issue 3: Mental Health in Schools – Local Perspectives****Panel:**

- Michael R. McCormick, Superintendent, Val Verde Unified School District
- Blanca G. Cavazos, Ed.D., Superintendent of Taft Union High School District
- Michael Lombardo, Executive Director Prevention Support and Services and Co-Coordinator, California PBIS Coalition, Placer County Office of Education

**Background:**

Mental health services in schools include a broad range of services, settings, and strategies. According to the Department of Education, psychological and mental health services in schools apply learning theory for individuals and groups to improve instruction and coordinate and evaluate plans to meet unique individual needs for learning or behavior problems. School psychologists also use research to design prevention and intervention programs, and provide crisis intervention, suicide prevention, and other mental health strategies as part of a student support services team. Mental health services that are provided in schools may include academic counseling, brief interventions to address behavior problems, assessments and referrals to other systems. Providing mental health services in a school based setting helps address barriers to learning and provide supports so that all students can achieve in school and ultimately in life. Schools are also places where prevention and early intervention activities can occur in a non-stigmatizing environment. Data show that mental health issues can lead to school failure and dropping out as early as middle school. Students who are exposed to violence have higher suspension and expulsion rates and lower school attendance and grades.

**Students with Disabilities.** For students with disabilities, a local educational agency (LEA) must develop an Individualized Education Program (IEP) which describes the impact of the student's disability and the services the student will receive. In some cases, mental health services may be identified in a student's IEP. The passage of AB 114 (Committee on Budget), Chapter 43, Statutes of 2011, shifted the provision of mental health services for students with IEPs to LEAs. School districts generally hire mental health professionals (i.e., credentialed and/or licensed social workers, psychologists) and provide services through these staff, contract with community mental health agencies or other qualified professionals to provide services, or contract with county mental health departments to provide services.

**Other Mental Health Services.** The Mental Health Services Act (MHSA), also known as Proposition 63, was enacted by voters in November 2004. Under the MHSA, the California Department of Mental Health (DMH) provides increased funding, personnel and other resources to support county mental health programs and monitor progress toward statewide goals for children, transition age youth, adults, older adults and families. The Act addressed a broad continuum of prevention, early intervention and service needs and the necessary infrastructure, technology and training elements that will effectively support this system.

Recently, the Mental Health Services Oversight and Accountability Commission funded County-School mental health partnerships with triage funding for crisis services dedicated to services for youth. The program supports four partnerships using strategies to: 1) build and strengthen partnerships between education and community mental health; 2) support school-based and community-based strategies to improve access to care; and 3) enhance crisis services that are responsive to the needs of children and youth, all with particular recognition of the educational needs of children and youth.

**Suicide Prevention.** In addition, legislation was passed recently to prevent youth suicide. Specifically, AB 2246 (O'Donnell), Chapter 642, Statutes of 2016, required that the Governing Board of any local educational agency (LEA) that serves pupils in grades seven to twelve, inclusive, adopt a policy on pupil suicide prevention, intervention, and post-intervention. In addition, the 2018-19 budget act included \$1.7 million for suicide prevention training for public school teachers, administrators, and other staff.

**Multi-Tiered Systems of Support (MTSS).** California's MTSS program focuses on aligning initiatives and resources within an educational organization to address the needs of all students. It is an integrated, comprehensive framework for LEAs that aligns academic, behavioral, and social-emotional learning in a fully integrated system of support for the benefit of all students. MTSS offers the potential to create systematic change through intentional integration of services and supports to quickly identify and meet the needs of all students. The state has provided \$45 million for implementation of MTSS statewide over the past four years.

**Suggested Questions:**

- What are the mental health needs of your students and have these changed over time?
- What strategies are used at the district or school level to target mental health issues? Are there gaps in service or needs that you cannot fill?
- What other non-education support is available in your community? Do you participate in any partnerships with other agencies?

**Staff Recommendation:** Information Only.

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**6360 COMMISSION ON TEACHER CREDENTIALING****Issue 4: Commission on Teacher Credentialing Budget Proposals****Panel:**

- Dr. Mary Sandy, Executive Director, Commission on Teacher Credentialing
- Kim Leahy, Department of Finance
- Amy Li, Legislative Analyst's Office

**Background:**

**Major Responsibilities.** The CTC is responsible for the following major state operations activities, which are supported by special funds:

- Issuing credentials, permits, certificates, and waivers to qualified educators.
- Enforcing standards of practice and conduct for licensed educators.
- Developing standards and procedures for the preparation and licensure of school teachers and school service providers.
- Evaluating and approving teacher and school service provider preparation programs.
- Developing and administering competency exams and performance assessments.

**Major Activities.** In 2017-18, the CTC processed approximately 22,407 new teaching credentials (including preliminary and intern credentials), a 2.3 percent increase over the prior year. The CTC also processes other types of teacher authorizations including short term teaching permits, internship permits, and teaching waivers. In addition, the CTC currently administers, largely through contract, a total of six different educator exams annually. The CTC also monitors the assignments of educators and reports the findings to the Legislature.

The CTC is also responsible for misconduct cases involving credential holders and applicants resulting from criminal charges, reports of misconduct by local educational agencies, and misconduct disclosed on applications.

Lastly, the CTC is responsible for accrediting approved sponsors of educator preparation programs, including public and private institutions of higher education and, local educational agencies in California.

**State Operations.** The CTC is a “special fund” agency whose state operations are largely supported by two special funds – the Test Development and Administration Account and the Teacher Credentials Fund. Of the CTC’s \$29.6 million state operations budget proposed for 2019-20, about \$23.3 million is from credential and accreditation fees, which are revenue sources for the Teacher Credentials Fund; \$5.9 million is from educator exam fees, which fund the Test Development and Administration Account and \$408,000 in reimbursements. The CTC also received one-time General Fund (both Proposition 98 and non-Proposition 98) in 2016-17 and 2017-18 for some one-time activities and grant

programs. The chart on the next page outlines the CTC's expenditures in 2017-18, 2018-19 and the Governor's proposed expenditures for 2019-20.

**Commission on Teacher Credentialing Expenditures and Positions**  
(Dollars in Thousands)

		Positions			Expenditures		
		2017-18	2018-19	2019-20	2017-18*	2018-19*	2019-20*
5381	Preparation & Licensing of Teachers	110.8	105.9	106.9	\$25,205	\$18,648	\$17,222
5382	Attorney General Legal Services	-	-	-	4,026	5,591	5,591
5383	Accreditation Streamline Project	-	-	-	174	690	310
5384	Educator Performance Assessments	-	-	-	354	1,275	1,235
5386	Integrated Teacher Preparation Grant	-	-	-	100	-	-
5388	Classified School Employee Teacher Credentialing Program	-	-	-	25,000	-	-
5397	Educator Preparation	-	-	-	125,000	-	-
5399	Administration	38.2	37.7	37.7	4,918	5,255	5,257
<b>TOTALS, POSITIONS AND EXPENDITURES (All Programs)</b>		<b>149.0</b>	<b>143.6</b>	<b>144.6</b>	<b>\$184,777</b>	<b>\$31,459</b>	<b>\$29,615</b>
<b>FUNDING</b>					<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
0001	General Fund				\$100	\$-	\$-
0001	General Fund, Proposition 98				150,000	-	-
0407	Teacher Credentials Fund				20,629	25,167	23,293
0408	Test Development and Administration Account, Teacher Credentials Fund				4,302	5,824	5,914
0995	Reimbursements				9,746	468	408
<b>TOTALS, EXPENDITURES, ALL FUNDS</b>					<b>\$184,777</b>	<b>\$31,459</b>	<b>\$29,615</b>

Source: Department of Finance

**Teacher Credentials Fund (Credential Fees).** The Teacher Credentials Fund is generated by fees for issuance, of new and renewed credentials and other documents. Current law requires, as a part of the annual budget review process, the DOF to recommend to the Legislature an appropriate credential fee sufficient to generate revenues necessary to support the operating budget of the Commission plus a prudent reserve of not more than 10 percent.

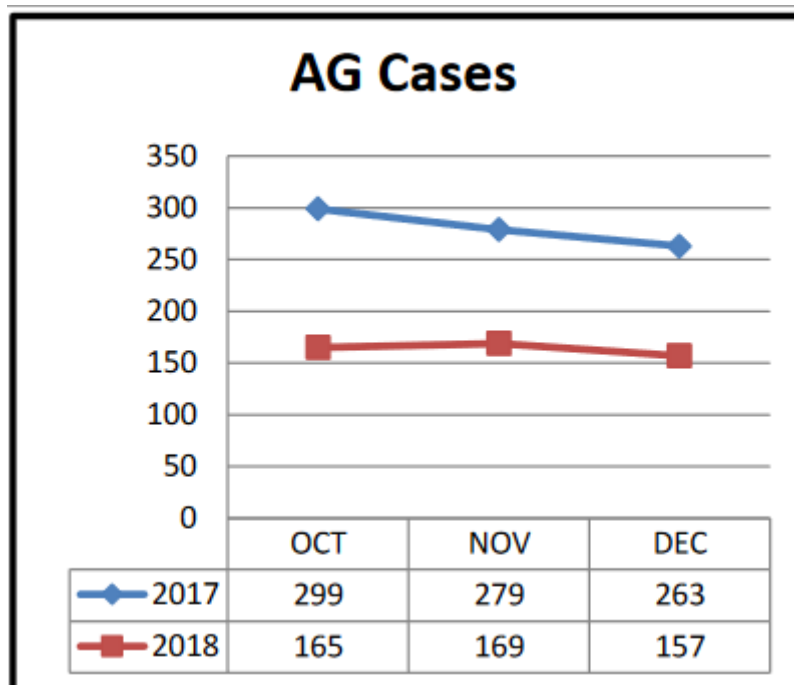
In 2012-13, the CTC increased the credential fee from \$55 to \$70 due to fund instability primarily due to a decrease in credential applications. This action restored the fee to the statutory maximum. In the 2015-16 budget trailer bill, AB 104 (Committee on Budget, Chapter 13, Statutes of 2015), the credential fee was further increased to \$100 per applicant, with the additional revenue generated intended to support processing of teacher misconduct caseload.

**Test Development and Administration Account (Exam Fees).** The Test Development Administration Account is generated by various fees for exams administered by the CTC such as the California Basic Educational Skills Test (CBEST), the Reading Instruction Competence Assessment (RICA), and the California Subject Examination for Teachers (CSET), the California Teachers of English Learners (CTEL), and the California Preliminary Administrative Credential Examination (CPACE). The CTC has the authority to review and approve the examination fee structure to ensure that the examination program is self-supporting. To determine fees for these testing programs, the CTC staff projects the number of exams, based upon their most recent figures, and compares these figures with projected examination program costs.

**Backlog of Teacher Misconduct Cases.** The CTC is charged with enforcing professional conduct standards and monitors the conduct of credential applicants and holders. The CTC has the authority to discipline applicants or holders for misconduct, and cases that are not resolved at the CTC may be referred to the Office of the Attorney General for an administrative hearing. In 2011, following a highly publicized educator misconduct case, the Commission released a field notification to all school district superintendents reminding them of their statutory requirement to report educator misconduct to the CTC. The number of cases reported by school districts to the CTC increased to more than double the number in the previous year and has remained at roughly double the 2010 amount in each year since. This increase in caseload to the CTC resulted in an increase in caseload referred to the Attorney General's Office. Moreover, a backlog began to grow at the Attorney General's Office, as cases were not sufficiently prepared to proceed to administrative hearing.

In order to address the backlog, the 2015 Budget Act included an increase in credentialing fees. The \$5 million in revenue generated by this is used to support additional legal staff for the Attorney General's Office. The 2016 Budget Act included \$8.5 million to address this backlog, including \$2.4 million in carryover from the 2015 Budget Act. The 2017 Budget Act also included \$4.5 million in one-time Teacher Credentials Fund carryover for the cost of representation by the Office of the Attorney General in educator discipline cases.

As part of the 2017 Budget Act, the Attorney General's Office was required to provide quarterly reporting on their legal services for the CTC. The most recent report was completed in February 2019 and covers the period of September 1 through December 31 of 2018. The report shows progress in reducing the backlog over the prior quarter, including the open cases assigned to the Attorney General shown below.



Source: Commission on Teacher Credentialing

Although the Attorney General's Office was slow to ramp up staff and expend the additional resources provided, the CTC now reports that the backlog at the Attorney General's Office has been eliminated and the cases are down to a workload level (approximately 150 cases).

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**Governor's Budget Proposal:**

The Governor's budget includes \$2 million in one-time funding (\$1.2 million in 2019-20 and \$800,000 in 2020-21) from the Test Development and Administration Account (TDAA) reserve account and an ongoing allocation of \$136,402 from the TDAA for one permanent full-time education consultant to expand California's educator performance assessment system into special education. The funds would be used to develop, validate, and ensure consistency in the implementation and scoring of a Special Educator Teaching Performance Assessment (CalSTPA) for candidates completing a Commission-approved preparation program for the Preliminary Special Education Credential.

The Governor's budget also proposes trailer bill language that would require the CTC to develop and implement a statewide automated State Assignment Accountability System (CalSAAS), for annual monitoring of teacher misassignments in schools.

**Legislative Analyst's Office Analysis:**

The LAO makes the following recommendations related to the Governor's proposed budget for the CTC:

- ***Adopt Governor's Proposals to Fund Development of a Special Education TPA and Add One CTC Position.*** The special education TPA would measure whether prospective teachers meet state teaching standards while also helping to assess the overall quality of teacher preparation programs. Further, this proposal would bring special education credential requirements in line with the requirements the Legislature has established for general education. The requested one additional position would support the development of the special education TPA and data analysis of TPA results to inform the CTC accreditation process.
- ***Require CTC to Assess How Proposal Affects Teacher Supply.*** Given the state has experienced a shortage of credentialed special education teachers for many years and the impact of the new assessment on special education teacher supply remains unclear, the LAO recommends the Legislature direct CTC to collect additional data during the pilot phase to determine how the new TPA requirement affects the interest, workload, and completion rate of prospective teachers in special education teacher preparation programs. In addition to collecting data on how pilot test takers perform on the TPA, CTC could collect data on (1) how the TPA is affecting interest in special education teacher preparation programs, (2) how much time prospective teachers take to complete the TPA tasks and how it affects their overall program workload, and (3) what prospective teachers consider the added value of the TPA to their teaching preparation. The LAO recommends requiring CTC to report this information to the Legislature by January 2022—before the TPA becomes mandatory for all special education teacher candidates. The LAO thinks CTC could accommodate the cost of this work within its requested augmentation, as CTC would likely solicit test taker feedback on the TPA during the pilot phase.
- ***If Interested in Learning More About the Impact of the TPA on Student Outcomes, Consider Funding Evaluation.*** The research linking TPA performance to student outcomes is limited and somewhat outdated. Relatively little is known about how requiring teachers to pass a TPA impacts teacher preparation and student outcomes in California. Given the limited research, the Legislature could consider giving the California Department of Education (CDE) funding to contract with an independent evaluation firm to study this relationship for the special education TPA. Given that CDE is not involved in the development of the TPA, the LAO thinks it would

be better positioned than CTC to oversee an independent evaluation. Such a study could help the Legislature understand the extent to which the TPA achieves its goal of improving teacher preparation and student outcomes across the state.

**Staff Recommendation:** Hold Open.

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**Issue 5: Teacher Workforce**

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**Panel:**

- Dr. Mary Sandy, Executive Director, Commission on Teacher Credentialing
- Amy Li, Legislative Analyst's Office

**Background:**

California currently has approximately 306,000 teachers, about half in elementary schools, 40 percent in middle and high schools, and almost 10 percent in alternative schools, adult schools or other education settings. Many of California's teachers have been in the classroom a long time, on average they have 12 years of experience.

There are a variety of paths to becoming a teacher in California, however, most new teachers first obtain a preliminary credential, which is issued for up to a five-year period, and then meet the requirements for a clear credential. The general requirements are as follows:

For a preliminary credential, applicants must satisfy all of the following:

- Complete a baccalaureate or higher degree from an accredited college or university. Degrees in professional education may only be used to apply for a multiple subject credential.
- Satisfy the basic skills requirement.
- Complete a teacher preparation program including successful student teaching, and obtain a formal recommendation for the credential by the California college or university where the program was completed. The Teaching Performance Assessment (TPA) is a required indicator of recommendation for a general education teaching credential.
- Verify subject matter competence through achieving a passing score on the appropriate subject matter examination(s) or completing an approved subject matter program.
- For multiple subject and special education credentials, pass the Reading Instruction Competence Assessment (RICA), or satisfy this requirement through a teacher preparation program.
- Satisfy the Developing English Language Skills requirement.
- Complete a course on the U.S. Constitution or pass an examination given by an accredited college or university.
- Complete basic computer technology course work that includes the use of technology in educational settings.

For a clear credential, new teachers generally must complete a CTC-approved General Education (or other area, including Special Education) Induction Program. Induction programs are most often sponsored by, or in partnership with, the school district or county office of education employing the teacher; however, colleges and universities, and other school districts and county offices of education, may also provide these programs. The induction program is intended to provide support to a new

teacher and should be tailored to his or her needs and the needs of the employer. Teachers may also hold internship credentials, valid for two years, or one-year permits under certain circumstances.

**Teacher Shortage.** LEA's have experienced an influx of funding as the state has recovered from the last recession, teacher hiring and compensation has increased, and policies have been put in place to ensure small class sizes and the posting of available teacher jobs on EdJoin (the statewide educator job portal).

During the economic recession, LEA's laid-off significant numbers of teachers, deferred providing raises, and often left teachers uncertain, for months at a time, of having a job the following year. The effects of the economic recession contribute towards the enrollment trends in teacher preparation programs, restricting the future pipeline of teachers. The more common shortage areas in California are science, bilingual education, special education, and math. Low-income and urban schools often face higher rates of turnover and difficulty filling positions, although some rural areas may also face difficulties filling positions for a variety of reasons.

Another area of concern related to the current teacher shortage is the number of underprepared teachers in the classroom. The greatest growth has been in emergency permits known as Provisional Intern Permits (PIPs) and Short-Term Staff Permits (STSPs). In 2017-18, California issued 7,839 teaching permits, mostly PIPs and STSPs. Other factors that affect the teacher workforce include: teacher turnover rates, class size reduction efforts, credentialing requirements, the overall desirability of the teaching profession, and the availability of state funding, among other factors.

The CTC is required to annually report on teacher supply and released the most recent report, *Teacher Supply in California: A Report to the Legislature Annual Report 2017-18*, a report and which provided the following findings for the fiscal year 2017-18:

- There was a small increase in the number of newly issued credentials across all three types of preliminary teaching credentials (i.e., Multiple Subject, Single Subject, and Education Specialist).
- After a steady decline in the total number of initial teaching credentials for the past several years, 2017-18 was the fourth year in which there was a small increase over the prior year. The number of initial teaching credentials issued in 2017-18 was higher than the number of initial credentials issued five years ago.
- There was an increase in the number of teaching permits (Short-Term Staff Permit, Provisional Intern Permit, and Limited Teaching Assignment Permit) issued and based on this data it was estimated that there was a decrease of 0.3 percent in the number of fully credentialed teachers serving in California public schools.

**Comparison of Teachers Serving in California Public Schools with Full Authorization versus Intern Credentials, Permits, and Waivers Issued, 2016-17 and 2017-18**

	<b>2016-17 Number</b>	<b>2016-17 Percent of Total</b>	<b>2017-18 Number</b>	<b>2017-18 Percent of Total</b>
Fully Credentialed Teachers (Preliminary and Clear)	292,755	96.0%	293,108	95.7%
University Intern Credentials	3,777	1.2%	4,041	1.3%
District Intern Credentials	583	0.2%	885	0.3%
Limited Assignment Teaching Permit	1,874	0.6%	1,953	0.6%
Provisional Intern Permit (PIP)	2,288	0.8%	2,279	0.7%
Short-Term Staff Permit (STSP)	3,422	1.1%	3,607	1.2%
Variable Term Waivers	404	0.1%	388	0.1%
<b>Total</b>	<b>305,103</b>	<b>100.0%</b>	<b>306,261</b>	<b>100.0%</b>

Source: Commission on Teacher Credentialing

**Programs to Address the Teacher Shortage.** In recent years, the State has made significant investments in programs aimed at addressing the teacher shortage, especially for chronic shortage areas such as special education, bilingual education and science, technology, engineering and math (STEM) education. These programs administered by the CTC include:

- **Classified School Employee Teacher Credentialing Program.** The 2016-17 budget provided \$20 million in one-time Proposition 98 funding for the California Classified School Employee Teacher Credentialing Program. The 2017-18 budget provided an additional \$25 million for this program. The program is intended to recruit classified employees into the teaching profession, in order to reduce the teacher shortage and provide more diversity in the teacher workforce. The program provides up to \$4,000 for applicants that meet certain criteria.
- **Integrated Undergraduate Teacher Preparation Grants.** The 2016-17 budget included \$10 million in one-time non-Proposition 98 funding for California postsecondary institutions to develop or improve four-year integrated teacher credential programs. The CTC provided grants to institutions of higher education to develop a four-year credentialing program, with designated shortage areas receiving priority.
- **California Center on Teaching Careers.** The 2016-17 budget provided \$5 million in one-time Proposition 98 funding to create the California Center on Teaching Careers, to strengthen statewide recruitment of individuals into the teaching profession.
- **Teacher Residency Grant Program.** The 2018-19 budget included a total of \$75 million for locally sponsored teacher residency programs, including \$50 million in one-time Proposition 98 funding for teacher residency programs for special education teachers and \$25 million for teacher residency programs for other shortage areas, such as STEM and bilingual education. The CTC provides competitive grants to LEAs of up to \$20,000 per teacher; LEAs are required to provide a 1:1 local match. Funds could be used for a variety of purposes, including stipends for new teachers, mentor teachers, or tuition at a partner university.

- **Local Solutions Grant Program.** The 2018-19 budget provided \$50 million in one-time Proposition 98 funding for competitive grants to LEAs to develop and implement new, or expand existing locally identified solutions that address a local need for special education teachers.

**Staff Comments:**

Staff notes that in addition to the special education teacher shortage, LEAs are also experiencing shortages for specific special education specialists. Staff notes that in the prior budget cycle, the LAO recommended the Legislature fund targeted enrollment growth at the California State Universities (CSUs) for graduate specialist programs of occupational therapy and speech and language pathology. The LAO noted that the state could increase these programs by five percent per year (45 students and \$675,000 per year) until the critical shortage of these specialists is reduced.

**Suggested Questions:**

- Can the CTC provide an update on progress and funding for each of the teacher shortage programs currently underway?
- Can the CTC comment specifically on the need for special education teachers and how the current programs have impacted the supply of teachers?
- Does the LAO have any specific recommendations for continued investments in increasing the teacher supply?

**Staff Recommendation:** Information Only.

**6100 DEPARTMENT OF EDUCATION****Issue 6: State Operations****Panel:**

- Ed Hanson, Department of Finance
- Leisa Maestretti, Department of Education
- Sara Cortez, Legislative Analyst's Office

**Background:**

California's public education system is administered at the state level by the California Department of Education (CDE), under the direction of the Superintendent of Public Instruction and the State Board of Education. The CDE is responsible for enforcing education laws and regulations and providing technical assistance to local school districts and working with the education community to improve academic performance. The majority of staff under the CDE work at the department's headquarters in Sacramento where they administer state education programs and provide program support to local educational agencies. The CDE's administration, or state operations, is primarily funded with a combination of non-Proposition 98 General Fund and federal funds. Funding and authorized positions for the CDE are summarized by the table below:

**CDE State Operations**  
(Dollars in Thousands)

<b>Fund</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>CY to BY</b>	<b>Percent</b>
<b>Source</b>	<b>Actuals</b>	<b>Projected</b>	<b>Proposed</b>	<b>Change</b>	<b>Change</b>
<b>General Fund</b>	\$164,211	\$175,912	\$189,752	\$13,840	7.87%
<b>Federal Funds</b>	\$166,692	\$180,600	\$173,406	(\$7,194)	-3.98%
<b>Fee Revenue</b>	\$3,042	\$6,642	\$6,643	\$1	0.02%
<b>Bond Funds</b>	\$2,006	\$3,212	\$3,214	\$2	0.06%
<b>Other Funds</b>	\$23,621	\$31,973	\$30,324	(\$1,649)	-5.16%
<b>Total Expenditures</b>	<b>\$359,572</b>	<b>\$398,339</b>	<b>\$403,339</b>	<b>\$5,000</b>	<b>1.26%</b>
<b>Percentage of Federal Funds to Total Expenditures</b>	46.36%	45.34%	42.99%		
<b>Positions</b>	<b>2,216.60</b>	<b>2,217.20</b>	<b>2,239.20</b>	22.00	0.99%

Source: Department of Education

**Governor's Budget Proposal:**

The Governor's 2019-20 proposed budget includes an additional 22 positions and approximately \$3.4 million in state and federal funds for CDE's state operations.

The Governor's budget includes the following federal funding increase:

- \$138,000 in ongoing federal funding and one position to review, approve, and provide technical assistance regarding district plans for providing behavioral restraints to students in danger of harming themselves or others. (Pursuant to Chapter 998 of 2018 (AB 2657, Weber)).

The Governor's budget includes the following General Fund increases:

- \$275,000 in ongoing General Fund for two positions to support implementation of the Career Technical Education Incentive Grant Program and the K-12 Strong Workforce Program, which were funded pursuant to Chapter 32 of 2018 (AB 1808, Committee on Budget).

The Governor's proposal also includes provisional language that specifies the availability of this funding is contingent upon the CDE fully supporting no fewer than 6 full-time regional agricultural supervisor positions in the Agricultural Education Unit of the Career and College Transition Division using federal Perkins V Act funding. If the CDE is unable to support at least 6 full-time regional agricultural supervisor positions with federal Perkins V Act funding, \$142,000 and 1.0 position supporting the Career Technical Education Incentive Grant Program and the K-12 component of the Strong Workforce Program would be redirected for that purpose. The Governor's budget also includes trailer bill language codifying the responsibilities of the Agricultural Career Technical Education Unit.

- \$271,000 in ongoing General Fund to make two temporary positions permanent to support the development and implementation of state and federal accountability systems.
- \$142,000 in ongoing General Fund for one position to provide technical assistance to county offices of education in developing and implementing local inter-agency plans for the care of foster youth, pursuant to Chapter 815 of 2018 (AB 2083, Cooley).
- \$105,000 in ongoing General Fund to provide one additional position to review the waivers districts submit when they experience a reduction in student attendance or loss of instructional days due to natural disasters or other emergencies.
- \$53,000 in one-time General Fund to develop best practices for reviewing and approving school safety plans and post these on CDE's website, pursuant to Chapter 806 of 2018 (AB 1747, Rodriguez).

The Department of Finance has indicated that there may be additional changes at the May Revision related to the following proposals included in the Governor's budget:

- \$1.669 million in ongoing General Fund for 12 positions to expand capacity for child care and preschool program implementation and monitoring.

- \$452,000 in ongoing General Fund for three positions to provide technical assistance to districts identified as having poor outcomes for students with disabilities on either the new School Dashboard or under a revised federal formula for monitoring district compliance with special education law.
- \$279,000 in one-time General Fund for the Instructional Quality Commission to update content standards and curriculum frameworks for visual and performing arts and world languages. Also, fund the development of a model curriculum in ethnic studies. (Pursuant to Chapter 647 of 2016 [AB 2862, O'Donnell], Chapter 643 of 2016 [AB 2290, Santiago), and Chapter 327 of 2016 [AB 2016, Alejo]).

**Legislative Analyst's Office Analysis:**

The LAO makes the following recommendations related to Governor's proposed funding increases for the CDE:

## New Workload and Funding for the California Department of Education (CDE)

2019-20 Governor's Budget (In Thousands)

Workload Proposal	Positions	Funding	Recommendation and Rationale
<b>Federal Funds</b>			
Review, approve, and provide technical assistance regarding district plans for providing behavioral restraints to students in danger of harming themselves or others. Pursuant to Chapter 998 of 2018 (AB 2657, Weber).	1	\$138	Approve. Helps CDE implement recent legislation. Funding is ongoing.
<b>State Funds<sup>a</sup></b>			
Expand capacity for child care and preschool program implementation and monitoring.	12	1,669	Withhold recommendation. To date, administration has not submitted detailed budget documentation.
Provide technical assistance to districts identified as having poor outcomes for students with disabilities on either the new School Dashboard or under a revised federal formula for monitoring district compliance with special education law.	3	452	Withhold recommendation. To date, the administration has not provided sufficient documentation to evaluate the proposal.
Fund Instructional Quality Commission (IQC) to update content standards and curriculum frameworks for visual and performing arts and world languages. Also fund the development of a model curriculum in ethnic studies. Pursuant to Chapter 647 of 2016 (AB 2862, O'Donnell), Chapter 643 of 2016 (AB 2290, Santiago), and Chapter 327 of 2016 (AB 2016, Alejo).	—	279	Approve. Helps IQC implement recent legislation. Funding is one time.
Support implementation of the Career Technical Education Incentive Grant Program, which was made ongoing pursuant to Chapter 32 of 2018 (AB 1808, Committee on Budget).	2	275	Approve. Helps CDE implement recent legislation.
Make permanent two temporary positions used to support the development and implementation of state and federal accountability systems.	2	271	Approve. Helps CDE comply with state and federal law.
Provide technical assistance to county offices of education in developing and implementing local inter-agency plans for the care of foster youth. Pursuant to Chapter 815 of 2018 (AB 2083, Cooley).	1	142	Approve. Helps CDE implement recent legislation.
Provide one additional position to review the waivers districts submit when they experience a reduction in student attendance or loss of instructional days due to natural disasters or other emergencies.	1	105	Approve. The number of waiver requests submitted to CDE has grown notably in recent years.
Develop best practices for reviewing and approving school safety plans and post these on CDE's website. Pursuant to Chapter 806 of 2018 (AB 1747, Rodriguez).	—	53	Approve. Helps CDE implement recent legislation. Funding is one time.
<b>Total</b>	<b>22</b>	<b>\$3,384</b>	
<sup>a</sup> Funded by Non-Proposition 98 General Fund (ongoing), unless otherwise indicated.			

**Suggested Questions:**

- Does the CDE have concerns with the proposed funding amounts?
- Does the CDE have additional requests that were not funded in the Governor's Budget?

**Staff Recommendation:** Hold Open

<b>Issue 7: Uniform Complaint Procedures</b>
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**Panel:**

- Dianna Gutierrez, Department of Education

**Background:**

The Uniform Complaint Procedures (UCP) was established in 1991 to provide a standard process for investigating complaints that schools or school districts have violated federal or state laws and regulations. Generally, local educational agencies (LEAs) are required to investigate UCP complaints; however, complainants may appeal a decision to the CDE. The areas covered under the UCP have changed over time and are handled by a variety of different offices within the CDE, as noted in the below chart provided by the CDE.

<b>CDE Office or Division Processing UCP Complaints/Appeals</b>	<b>Education Program and Date First under the UCP</b>
Career and College Transition Division	<ul style="list-style-type: none"> <li>• Agricultural Vocational Education, Date: September 1991</li> <li>• Adult Education, Date: September 1991</li> </ul>
Categorical Programs Complaints Management Office	<ul style="list-style-type: none"> <li>• Elementary and Secondary Education Act (Titles I–VII) Date: September 1991</li> <li>• Pupil Instruction: Course Periods without Educational Content, Date: January 2016</li> <li>• Unlawful Pupil Fees, Date: January 2013</li> </ul>
Improvement and Accountability Division	<ul style="list-style-type: none"> <li>• Educational Rights of Foster Students, Date: January 2016</li> <li>• Educational Rights for Homeless Students, Date: January 2016</li> </ul>
Education Excellence and Equity Division	<ul style="list-style-type: none"> <li>• Tobacco-Use Prevention Education, Date: January 2002</li> <li>• Physical Education Instructional Minutes, Date: October 2015</li> </ul>
Early Education and Care Division	<ul style="list-style-type: none"> <li>• Child Care and Development, Date: September 1991</li> </ul>
Education Equity UCP Office	<ul style="list-style-type: none"> <li>• Discrimination, harassment, intimidation, bullying, and retaliation on the basis of a protected</li> </ul>

CDE Office or Division Processing UCP Complaints/Appeals	Education Program and Date First under the UCP
	<p>characteristic, Date: September 1991</p> <ul style="list-style-type: none"> <li>• Student Lactation Accommodations, Date: January 2016</li> <li>• Pregnant and Parenting Pupils, Date: July 2018</li> </ul>
Expanded Learning Division	<ul style="list-style-type: none"> <li>• After School Education and Safety, Date: August 1998</li> </ul>
Local Agency Systems Support Office	<ul style="list-style-type: none"> <li>• Local Control Funding Formula (Program or Procedures), Date: July 2013</li> </ul>
School Facilities and Transportation Division	<ul style="list-style-type: none"> <li>• School Facilities Conditions, Date: July 2004</li> </ul>

LEAs are required to follow all state and federal laws, and generally UCP complaints are required through regulation to be first filed with the LEA. LEAs are required to adopt policies and procedures to process UCP complaints and ensure staff take appropriate actions. For most complaints, LEAs have 60-days to complete an investigation and issue a decision; however, some complaints have shorter time frames.

A complainant has the option of appealing to the CDE within 15 days of receiving a decision, identifying for the CDE whether they are alleging the facts were incorrect or the law was misapplied. When the CDE receives an appeal, it requests the related files from the LEA. The CDE reviews whether the LEA followed UCP procedures, the evidence supports the fact finding for the decision, and the LEA applied the law correctly. If the CDE determines an appeal has merit, it may issue a decision, require the LEA to investigate further, or conduct its own investigation. The CDE may also deny appeals, return the decision to the LEA for the correction of deficiencies, and forward any new issue back to the LEA for investigation. Each of these actions, requires the CDE and the LEA to respond according to regulations and may have its own set of requirements and timelines. In addition, both LEAs and complainants may request reconsideration of the CDE's decision.

**Auditor's Findings.** In a report released in January of 2017, the California State Auditor released an audit of the UCP. The auditor's report found that the UCP process within CDE is in itself complex; fourteen different divisions or offices within the CDE handle UCP issues. The CDE did not have department-wide policies and procedures in place, the CDE did not track UCP appeals and complaints centrally, instead each division or office received UCP workload and followed its own process.

The auditor recommended at the time that the Legislature codify UCP regulations and prescribe consistent timelines for filing, investigation, and reviewing of UCP complaints and appeals. The auditor also recommended that the CDE should designate a central office to receive complaints and appeals. The auditor also recommended that CDE initiate regulations to include a 60-day timeline for

investigation of complaints and reviews of appeals, unless otherwise specified in statute or federal regulations.

In response to the audit, CDE took a series of steps including creating a centralized database for tracking of UCP complaints.

**Legislative Actions.** The Legislature required additional reporting from CDE on the UCP process specifically by November of 2017 and as a result added the UCP process to statute and specified 60 day timelines for responses in most cases through budget trailer bill in 2018-19.

The Legislature also required additional reporting from CDE by January 31 of 2019, through the following language in the 2018-19 budget bill, SB 840 (Mitchell), Chapter 29, Statutes of 2018:

“The Superintendent of Public Instruction shall report to the Legislature no later than January 31 of each year with a summary of the number of days for completion of appeals by complaint type and program area, including the rationale for complaints that exceed 60 days. The State Department of Education (SDE) shall commence a stakeholder workgroup focused on issues raised in the SDE 2018 Legislative Report: Uniform Complaint Procedures Process Update, and provide recommendations from the workgroup in the first annual report due by January 31, 2019”.

**CDE 2019 Report:** The CDE released the first annual UCP report on April 26, 2019, delayed due to changes in staffing and leadership with the election of a new Superintendent. The report notes that 2018 was the first full year all offices and divisions that process UCP appeals and complaints entered appeal and complaint data into a central database and the following table shows the requests:

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**The California Department of Education 2018 UCP Appeal and Complaint Requests**

<b>UCP Program</b>	<b>Number of Appeal/Complaint Requests</b>
Education Equity (Discrimination, harassment, intimidation, bullying, and retaliation on the basis of a protected characteristic)	347
Unlawful Pupil Fees	51
Elementary and Secondary Education Act (Titles I–VII)	30
School Facilities Conditions	14
Local Control Funding Formula (Program or Procedures)	9
Child Care and Development	8
Physical Education Instructional Minutes	2
Educational Rights for Foster Students	2
Course Periods without Educational Content	1
Adult Education	1
<b>Total</b>	<b>465</b>

Of these 465 requests, the CDE accepted 193 appeal or complaint requests in 8 UCP programs. The Education Equity program accepted the highest number of appeals with 137, or 71 percent, of the accepted requests. These appeals were related to allegations of bullying, harassment, discrimination, retaliation, and/or intimidation on the basis of a protected characteristic (race or ethnicity, gender, disability, sexual orientation or identity, religion). The CDE completed 24 appeal reviews in 2018 related to unlawful pupil fees, 14 related to facility conditions, 8 related to Elementary and Secondary Education (categorical programs), and five related to local control funding formula program or procedures. Those not accepted may have been due to incomplete information, not meet the criteria for intervention, may have been outside of the scope of the UCP, or were currently under LEA investigation.

The CDE also engaged in a stakeholder process during the fall of 2018 with county offices of education, local school districts and direct-funded charter schools; as well as CDE program offices, divisions, and branches and reflected on the following topics:

- Clarity around the UCP
- Uniformity and Consistency
- Guidance and Technical Assistance

The CDE's response to both the stakeholder process and continued follow-up from the 2017 Audit and Legislative feedback includes the following as noted in the report:

- Updating regulations related to the UCP, including aligning them with current law, providing appropriate clarity and consistency, and ensuring more efficient administration of the UCP, and other additional amendments. (Commenced March 31, 2019)
- Establishment of a central UCP office within CDE to receive and process complaints. (pending)
- Creation of a statewide UCP email list to better coordinate with LEAs and local UCP coordinators. (pending)
- Updating of the UCP web page to create a more user –friendly experience and include additional resources. (pending)
- Expansion of technical assistance to LEAs, including training related to the UCP. (pending)

**Suggested Questions:**

- Why timelines has the CDE established for completing the changes identified in the report for the department to undertake?
- What were the key findings from the stakeholder were process and how are these reflected in CDE's recommendations?

**Staff Recommendation:** Information Only.

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**6870 CALIFORNIA COMMUNITY COLLEGES**

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**Issue 8: State Operations**

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**Panel:**

- Michelle Nguyen, Department of Finance
- Edgar Cabral, Legislative Analyst's Office
- Christian Osmena, Chancellor's Office of California Community Colleges

**Background**

In 2018-19, the Chancellor's Office has 143.5 authorized positions. The Chancellor's Office is comprised of 11 divisions and offices: educational services, academic affairs, students services and special programs, office of communications and marketing, college finance and facilities planning, office of digital innovation and infrastructure, office of general counsel, government relations, institutional effectiveness, internal operations, and workforce and economic development. In addition, the Chancellor's Office has an executive office.

**Governor's Budget Proposal**

The Administration proposes an increase of \$135,000 ongoing non-Proposition 98 General Fund and one new position for an Information Security Officer at the Chancellor's Office, to provide increased security capacity. The position would be housed within the office's Digital Innovation and Infrastructure Division, which currently has 20 staff that work on data management, management of application services, network support, and research and data analytics.

On March 28<sup>th</sup>, the Administration submitted an April letter requesting a shift of bond funds to support the Chancellor's Office Facilities Planning Unit. Specifically, the Administration proposes to add item 6870-001-6028 and 6870-001-6041 in the amounts of \$174,000 and \$1.38 million, respectively, and increase item 6870-001-6049 by \$637,000 from various bond funds. Additionally, the proposal eliminates item 6870-001-0574 and 6870-001-0658. These adjustments shift appropriation authority between bond funds to reflect available bond authority.

**Legislative Analyst's Office Comments**

**Hiring an Information Security Officer Has Merit.** In the summer of 2018, the Military Department conducted an information security assessment of the Chancellor's Office and identified several issues. Though the detailed findings of the report are confidential, the Chancellor's Office responded by identifying a list of policies and procedures intended to improve information security. At current staffing levels, the division does not have the capacity to implement the identified changes. Given other workload demands within the division, no staff currently focuses their time on information security issues. Instead, the Chancellor's Office redirects existing staff from other activities whenever an immediate security issue arises. The LAO believes having an additional position in the division to address these issues is important, particularly given the large volume of student data the Chancellor's

Office collects. Having a dedicated information security officer would allow the division to be proactive about developing policies and increasing monitoring to ensure the security of CCC data.

**Chancellor's Office Could Use Recent Augmentations to Fund Position.** The Chancellor's Office has received several augmentations to its state operations budget over the past two years—\$618,000 in 2017-18 and \$2 million in 2018-19 (bringing total General Fund for the Chancellor's Office to \$16.7 million). Though the 2017-18 augmentation was tied to certain new positions, the Chancellor's Office had discretion in the new positions it could support with the 2018-19 augmentation. To date, the Chancellor's Office has not been able to document the new positions it funded with either the 2017-18 or 2018-19 augmentations. The office indicates it used the 2018-19 funds to support a reorganization, which makes tracking the funding more difficult. Given the importance of data security and the justification for an information security officer position, the LAO recommends the Legislature direct the Chancellor's Office to use some funding from recent staffing increases to fund the new position. The Legislature could provide this direction through provisional budget language.

**Staff Recommendation:** Hold Open.

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**6440 UNIVERSITY OF CALIFORNIA  
6610 CALIFORNIA STATE UNIVERSITY  
6870 CALIFORNIA COMMUNITY COLLEGE****Issue 9: Immigrant Legal Services****Panel**

- Michelle Nguyen, Department of Finance
- Seija Virtanen, University of California
- Carrie Hemphill Reith, California State University
- Marcela Ruiz, Department of Social Services
- Kim Johnson, Department of Social Services
- Paul Steenhausen, Legislative Analyst's Office
- California Community Colleges Chancellor's Office

**Background**

**UC Legal Services.** The 2018-19 budget provided \$4 million one-time funding for UC to provide legal services for undocumented and immigrant students, faculty and staff to be spent until June 30, 2022.

In 2018-19, UC used \$900,000 from the University of California Office of the President (UCOP) budget to fund attorneys at across campuses. In addition, UC Davis, San Diego, Riverside and UCLA used their own campus funds to pay for attorneys as well. UC Irvine makes a partial contribution towards an attorney and will be paying the full salary in 2019-20. Due the availability of these other funds, UC decided to delay the spending of the state General Funds until 2019-20 when UCOP funds are anticipated to not be available.

In the future, UC anticipates providing the \$4 million General Fund appropriation to the UC Davis Immigrant Legal Services Center (UCIMM). Currently UCIMM has a staff of eleven: Executive Director, two Managing Attorneys, three Attorney Fellows, four Staff Attorneys, and one Paralegal to provide full immigration legal services to every campus in the UC system except for UC Berkeley. UC Berkeley provides services to its students through a non-profit and philanthropic funding. Every campus has a dedicated attorney whose sole responsibility is to provide legal services and to work closely with other campus programs. In addition, by using teleconference capability, UCIMM works with students, faculty, and staff on all UC campuses through the undocumented student centers on those campuses. While UC has not spent the funds appropriated in the 2018-19 budget, the information below summarizes the previous UCIMM service information:

- For the 2015-16 academic year, UCIMM served 311 clients.
- For the 2016-17 academic year, UCIMM opened 872 new legal cases.
- For the 2017-18 academic year, UCIMM opened 1,377 cases and responded to 650 inquiries.
  - Moreover, in 2017-18, 67.6 percent of cases were student only, 24 percent were family members of students, 8.4 percent included both students and their family members, and 21 percent of their clients were transfer students.

- 625 cases involved Deferred Action for Childhood Arrivals (DACA) renewals. This reflects a 57.8 percent growth in DACA as compared to 2016-17 when UCIMM had 396 DACA matters
- General Immigration Screening: 334 intakes or 24 percent of total matters. This compares to 271 in 2016-17.
- Family Petitions and Adjustment of Status: 176 cases or 12 percent of total inquiries.
- Naturalization: 55 cases or 4 percent, compared to 32 cases in 2016-17.
- Special Immigrant Juvenile Status: 23 cases or two percent of matters, compared to 13 cases in 2016-17)

**CSU Legal Services.** The 2018-19 budget also provided \$7 million General Fund one-time to the California Department of Social Services (DSS) to contract with qualified providers to provide legal services to persons on CSU campuses. These funds shall be available for encumbrance or expenditure until June 30, 2022, and liquidation until June 30, 2025. The budget bill requires that the use of these funds be reported to the Legislature.

Since the enactment of the budget, DSS reports that for CSU, three immigration webinars for students were hosted by the UC Immigrant Legal Services Center, as follows: (1) Updates on DACA, Immigration, and Your Constitutional Rights, (2) Beyond DACA: Exploring Other Types of Immigration Relief and (3) Public Charge: What is the Rule, and What are the Proposed Changes.

DSS has selected four legal service providers to serve 20 of the 23 CSU campuses for the next two years, as displayed below.

Region	Organization	CSU Campuses	Tentative Awards
SF Bay Area & Central Valley	Centro Legal de la Raza	San Francisco San Jose East Bay  Fresno Bakersfield Stanislaus	\$1.67 million
Northern Cal	Coalition for Human Immigrant Rights (CHIRLA)	Chico Sacramento Sonoma Humboldt	\$836,000
Los Angeles	Central American Resource Center of California (CARECEN LA)	Northridge Los Angeles Dominguez Hills Long Beach  * Pomona * Fullerton * San Bernardino	\$1.53 million
San Diego	Jewish Family Service San Diego	San Diego San Marcos	\$450,000
Central Coast	TBD	Monterey Bay San Luis Obispo Channel Islands	

DSS is in the process of identifying legal service providers for two campuses on the Central Coast (Monterey Bay and San Luis Obispo); Maritime has a very small number of students who qualify for an exemption under AB 540, so services for students will be provided at a nearby campus, if needed.

Contracts with the four providers are each for two-year terms and are expected to be executed in the coming weeks. All of the providers are setting up offices, hiring staff, and two of the providers are delivering services on campus. Campuses and providers have begun coordinating the logistics of delivering immigration legal on each campus, tailored to their specific student needs, to allow for services to begin on campus as soon as feasible.

Given that, the funding was initially a one-time allocation, DSS chose not to encumber all the funds all at once to provide additional funding to each contract as the initial needs assessment phase was completed and contractors determined additional legal staff needed to meet campus demands. DSS will balance of \$2.3 million remaining of the total \$7 million allocation after two years with this contract.

**CCC Legal Services.** The 2018-19 budget also provided \$10 million one-time Proposition 98 General Fund to the Board of Governors of the Community Colleges to allocate funds to a community college district to contract with the DSS in order to contract with specified organizations to provide immigrant legal services and support to persons on California community college campuses. These funds are available for encumbrance until June 30, 2020, and liquidation until June 30, 2024. The budget requires use of these funds must be reported to the Legislature.

Since the enactment of the 2018-19 budget, it is unclear if any funding has been spent, who the providers are, which campuses or districts would provide services, among other key information. The Chancellor's Office notes that instead of working directly with DSS, it has instead transferred authority to the CCC Foundation to work with DSS. The Chancellor's Office notes that they do not have enough staff to work on undocumented student supports.

### **Governor's Budget Proposal**

The Governor proposes investments in immigration legal services for all three segments:

- \$10 million Proposition 98 General Fund ongoing for the CCC starting in 2019-20,
- \$7 million ongoing General Fund for the CSU starting in 2019-20, and
- \$1.3 million ongoing General Fund for the UC starting in 2022-23.

### **Staff Comments**

The subcommittee may wish to ask what the DSS and Community College Foundation's plan is in spending the \$10 million provided in the 2018-19 budget. Specifically, how much of the funds has been spent, which campuses will be providing services, and what type of services will they provide.

As noted above, CSU and DSS will have a balance of \$2.3 million after the 2020-21 fiscal year. The subcommittee may wish to ask what DSS' plan is for this remaining funding. The budget bill language provides encumbrance or expenditure until June 30, 2022, and liquidation until June 30, 2025.

The subcommittee may also wish to ask whether or not DSS is able to find enough qualified providers to apply for these grants and to meet student, staff and faculty demand.

The subcommittee may wish to ask the Administration why additional funding is needed at this time considering that the segments have not spent the 2018-19 funds.

**Staff Recommendation.** Hold Open.