

Appendix A Authorizing Legislation

Section 39: Article 16. Teacher Recruitment, Retention, and Support Grant Programs

44416.

(a) For the 2018–19 fiscal year, the sum of fifty million dollars (\$50,000,000) is hereby appropriated from the General Fund to the commission to establish the Local Solutions Grant Program to provide one-time competitive grants to local educational agencies to develop and implement new, or expand existing, locally identified solutions that address a local need for special education teachers. This funding shall be available for encumbrance through June 30, 2023, and available for liquidation through June 30, 2026.

(b) (1) A grant shall be up to twenty thousand dollars (\$20,000) per teacher participant that the identified solution proposes to support, matched by that local educational agency or consortium on a dollar-for-dollar basis. Grant program funding may be used for local efforts to recruit, develop support systems for, and retain special education teachers that include, but are not limited to, teacher career pathways, signing bonuses for newly credentialed teachers who earn an education specialist credential, mentors for existing teachers, professional learning communities, service awards, teacher service scholarships, student debt payment, living stipends for newly credentialed teachers who earn an education specialist credential, or other solutions that address a local need for special education teachers.

(2) (A) A teacher participant who receives a teacher service scholarship, signing bonus, or student debt payment shall agree to teach at a school within the jurisdiction of the grant recipient and work as an education specialist serving a caseload of pupils who receive special education services in a special education setting for four years, and the teacher participant shall have five years to meet that obligation.

(B) A teacher participant who fails to complete the service obligation described in subparagraph (A) shall reimburse the sponsoring grant recipient the amount of grant funding received as a teacher service scholarship, signing bonus, or student debt payment. The amount to be reimbursed shall be adjusted proportionately to reflect the service provided if the teacher participant taught at least one year, but less than the required four years, at the sponsoring grant recipient.

(C) If a teacher participant is unable to complete a school year of teaching, that school year may still be counted toward the required four complete school years if any of the following occur:

- (i) The teacher participant has completed at least one-half of the school year.
- (ii) The employer deems the teacher participant to have fulfilled his or her contractual requirements for the school year for the purposes of salary increases, probationary or permanent status, and retirement.
- (iii) The teacher participant was not able to teach due to the financial circumstances of the sponsoring grant recipient, including a decision to not reelect the employee for the next succeeding school year.
- (iv) The teacher participant has a condition covered under the federal Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2061 et seq.) or similar state law.

(v) The teacher participant was called or ordered to active-duty status for more than 30 days as a member of a reserve component of the Armed Forces of the United States.

(D) If the commission determines or is informed that a teacher participant who fails to complete the service obligation described in subparagraph (A), the commission shall confirm with the grant recipient the applicable grant amount to be recovered from the teacher participant and the grant recipient. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the teacher participant taught at least one year, but less than four years, at the sponsoring grant recipient.

(E) Upon confirming the amount to be recovered from the grant recipient pursuant to (D), the commission shall notify the grant recipient of the amount to be repaid within 60 days. The grant recipient shall have 60 days from the date of the notification to make the required repayment to the commission. If the grant recipient fails to make the required payment within 60 days, the commission shall notify the Controller and the grant recipient of the failure to repay the amount owed. The Controller shall deduct an amount equal to the amount owed to the commission from the grant recipient's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution. If the grant recipient is a regional occupational center or a program operated by a joint powers authority that does not receive principal apportionment or apportionments of state funds, or a consortia of local educational agencies, the commission shall notify the Controller of the local educational agency where the teacher participant taught and the Controller shall deduct the amount owed from the applicable local educational agency's next principal apportionment or apportionments of state funds, other than basic aid apportionments required by Section 6 of Article IX of the California Constitution.

(F) An amount recovered by the commission or deducted by the Controller pursuant to subparagraph (E) shall be deposited into the Proposition 98 Reversion Account.

(G) Grant recipients may recover from a teacher participant who fails to complete the service obligation described in subparagraph (A) the amount of grant funding received as a teacher service scholarship, signing bonus, or student debt payment. The amount to be recovered shall be adjusted proportionately to reflect the service provided if the teacher participant taught at least one year, but less than four years, at the sponsoring grant recipient.

(c) A grant recipient shall not use more than 5 percent of a grant award for program administration costs.

(d) A grant recipient shall provide a 100-percent match of grant funding to support, complement, or enhance the local solution identified in subdivision (h). The match shall be in the form of one or both of the following:

- (1) One dollar (\$1) for every one dollar (\$1) of grant funding received.
- (2) An in-kind match.

(e) An applicant may consist of one or more, or any combination, of the following:

- (1) A school district.
- (2) A county office of education.
- (3) A charter schools
- (4) A regional occupational center or program operated by a joint powers authority.

(f) To receive a grant, an applicant shall submit to the commission an application at a time, in a manner, and containing information prescribed by the commission.

(g) A grant recipient shall not use funds from a Local Solutions Grant Program award to support teacher candidates participating in a program supported by an award from the Teacher Residency Grant Program established pursuant to Section 44415.

(h) When selecting grant recipients, the commission shall require applicants to demonstrate a local need for special education teachers and present a plan that proposes one or more solutions that address that local need.

(i) For purposes of administering the grant program pursuant to this section, the commission shall do all of the following:

(1) Determine the number of grants to be awarded and the total amount awarded to each grant applicant.

(2) Require grant recipients to annually report the status and progress of the identified solution and to submit a final implementation report within three years of receiving a grant award that describes the outcomes and effectiveness of the identified solution.

(3) Allocate 90 percent of funding to each grant recipient at the time of the initial grant award and allocate the final 10 percent of grant funding upon receipt of the final implementation report. If the grantee fails to provide the final implementation report pursuant to paragraph (2), the grantee shall not receive the final 10 percent of the grant award.

(j) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be "General Fund revenues appropriated for school districts," as defined in subdivision (c) of Section 41202, for the 2017–18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2017–18 fiscal year.

44417.

The commission shall conduct an evaluation of the Teacher Residency Grant Program established in Section 44415 and the Local Solutions Grant Program established in Section 44416 to determine the effectiveness of these programs in recruiting, developing support systems for, and retaining special education, and bilingual education, science, technology, engineering, and mathematics, teachers and provide a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature by December 1, 2023.

44418.

This article shall remain in effect only until January 1, 2027, and as of that date is repealed.