



LOZANO SMITH ALERT

September 2010

Number 8

Lieutenant Governor Signs Bill to Allocate Federal "Ed Jobs" Funding

On September 10, 2010, Lieutenant Governor Abel Maldonado, acting as Governor while Governor Schwarzenegger was out of the country, signed Senate Bill 847 ("SB 847") into law. SB 847 sets forth the formula by which California will allocate to school districts and local education agencies the federal "Ed Jobs" funds awarded to California. Specifically, SB 847 appropriates \$1.2 billion in federal funding to school districts and other local education agencies ("LEAs") to use in rehiring or retaining teachers, nurses, counselors, librarians, and other school-related personnel. (See [Lozano Smith Alert No. 6, August 2010](#).)

SB 847 provides for the Ed Jobs funds to be allocated "in an amount calculated to be an equal proportion of the amount calculated for the 2010-2011 fiscal year" for school district revenue limits, county office of education revenue limits, and the revenue limit portion of charter school operational funding. The funds allocated to the LEAs are to be used for compensation, benefits, and other expenses, including support services that are necessary to retain existing employees, to recall or rehire former employees, and to hire new employees, providing school-level educational and related services in accordance with the requirements of the federal Education Jobs and Medicaid Assistance Act and related federal regulations and guidance. The bill further provides that any LEA that has funds remaining from their allotment after the 2010-2011 fiscal year may use the remaining funds through September 30, 2012 for these same purposes.

It is important to recognize that these funds are one-time money and not an ongoing funding source. It is also important to note that, depending on how a district chooses to spend the funds, their use may be subject to negotiation with the district's labor unions. Should you have any questions regarding the impact of the federal funding on your school district, please do not hesitate to contact any of our [seven](#) offices located statewide, or consult our [website](#).

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As the information contained herein is necessarily general, its application to a particular set of facts and circumstances may vary. For this reason, this Alert does not constitute legal advice. We recommend that you consult with your counsel prior to acting on the information contained herein.