

**Assembly Bill No. 1794**

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Passed the Assembly August 28, 2002

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*Chief Clerk of the Assembly*

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Passed the Senate August 26, 2002

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day of \_\_\_\_\_, 2002, at \_\_\_\_\_ o'clock \_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to amend Sections 52522 and 52523 of, and to add Section 60851.5 to, the Education Code, relating to the high school exit examination.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1794, Chavez. High school exit examination.

(1) Existing law requires, commencing with the 2003–04 school year, each pupil completing grade 12 to successfully pass the high school exit examination as a condition of receiving a diploma of graduation or a condition of graduation from high school.

Existing law prohibits a school district from offering a course required by the school district for high school graduation or necessary for pupils to maintain satisfactory academic progress exclusively through the adult education program.

This bill would state that the prohibition does not prevent a school district that offers adult education from offering a program, course, or class of supplemental instruction in preparation for the high school exit examination exclusively to persons who complete grade 11 and fail the high school exit examination. The bill would make a pupil who successfully passes the high school exit examination after completing the grade 12 curriculum eligible to receive a regular diploma of high school graduation. The bill would permit the pupil hours of supplemental instruction of a high school pupil or adult enrolled in an adult education program, course, or class of supplemental instruction in preparation for the high school exit examination to be used for purposes of reimbursement in accordance with specified provisions relating to supplemental instruction.

(2) Existing law authorizes school districts approved to implement demonstration programs in adult education innovation and alternative instructional delivery to expend 5% of their adult education block entitlement for implementation of approved programs.

This bill would increase the amount a school district may expend for these purposes to 10% and would include, among the



approved programs, preparation courses for the high school exit examination.

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

SECTION 1. Section 52522 of the Education Code is amended to read:

52522. (a) The Superintendent of Public Instruction may approve school district plans for adult education innovation and alternative instructional delivery. A school district applying under this section shall demonstrate how the needs of adults will be addressed by programs, including, but not limited to:

(1) Worksite adult basic education skills instruction.

(2) Distance learning using video and other communication technologies.

(3) Home-based and community-based independent study approaches using instructional technologies.

(4) Tests of alternative reimbursement approaches other than average daily attendance to determine whether they are reasonable and feasible, to the extent that there is no decrease in the number of students served nor an increase in cost to the state.

(5) Courses of supplemental instruction in preparation for the high school exit examination for persons who complete grade 12 and have not passed the high school exit examination.

(b) School districts approved to implement demonstration programs under this section may expend up to 10 percent of their adult education block entitlement for implementation of approved programs.

(c) School districts implementing programs under this provision shall report expenditures to the superintendent in an annual fiscal report, as specified in regulations adopted by the superintendent. Funds reported under this section and approved by the superintendent shall continue to be allocated as part of the district's adult education block entitlement in subsequent fiscal years.

(d) The superintendent shall adopt rules and regulations for the administration of this section to include:

(1) Allowable expenditures.

(2) The range of expenditures per pupil enrolled in the program.



(3) Reporting requirements.

(4) Program evaluation.

SEC. 2. Section 52523 of the Education Code is amended to read:

52523. Adult education programs, courses, and classes shall not be used to supplant the regular high school curriculum for high school pupils enrolled in adult education. Adult education shall supplement and enrich the high school pupil's educational experiences. Therefore, adult education, at a minimum, shall meet the following criteria:

(a) (1) All programs, courses, and classes conducted as adult education shall be open to adults and listed in the district's catalog of adult education classes provided to the public and shall be under the supervision and jurisdiction of the adult education administrator as determined by the school district governing board. Adults shall have priority over other students for admission to any adult education class if those adults enroll not later than the regular enrollment period for those classes. The enrollment period shall be published in the course catalog. No course required by the school district for high school graduation or necessary for pupils to maintain satisfactory academic progress shall be offered exclusively through the adult education program. Nothing in this subdivision shall be construed to prevent an adult education program from offering an adult education program, course, or class of supplemental instruction in preparation for the high school exit examination. An adult for purposes of this section is a person 18 years of age or older or other person who is not concurrently enrolled in a regular high school program.

(2) Notwithstanding any other provision of law, a school district that offers adult education may offer a program, course, or class of supplemental instruction in preparation for the high school exit examination exclusively to persons who complete grade 11 and have not passed the high school exit examination, and may receive reimbursement for pupil hours of supplemental instruction pursuant to Sections 37252 and 42239. For purposes of this section, a person who completes grade 11 and has not passed the high school exit examination is eligible to enroll in an adult education program, course, or class of supplemental instruction in preparation for the high school exit examination.



(b) Each adult education teacher, whether part time or full time, under contract status or in an hourly position, shall be part of the adult school faculty and shall be under the direct supervision of the authorized adult education administrator.

(c) Enrollment of high school pupils shall be voluntary on the part of the pupil taking the class. Prior to enrollment by a high school pupil in an adult education program, class, or course, the pupil shall have documentation of the counseling session held pursuant to subdivision (b) of Section 52500.1.

(d) Enrollment of a high school pupil in an adult education program, course, or class shall be for sound educational purposes, including, but not limited to, the following:

(1) The adult education program, course, or class is not offered in the regular high school curriculum.

(2) The adult education program, course, or class is needed by the pupil to make up deficient credits for graduation from high school.

(3) The adult education program, course, or class allows the pupil to gain vocational and technical skills beyond that provided by the regular high school's vocational and technical education program.

(4) The adult education program, course, or class supplements and enriches the high school pupil's educational experience.

(5) The adult education program, course, or class is supplemental instruction in preparation for the high school exit examination.

(e) A high school pupil shall not be enrolled for apportionment purposes in an adult education program, course, or class that would be considered any of the following:

(1) Physical education.

(2) Driver's training and education.

(3) Visual and performing arts.

(4) Band.

(5) Preparation of a school yearbook or school newspaper.

(6) Training for, or participation in, athletic camps, cheerleading or spirit organizations, student government, or extracurricular student clubs.

(7) Supplemental instruction in preparation for the high school exit examination.



(f) The Superintendent of Public Instruction shall issue a program advisory that further defines the purposes set forth in subdivision (d) and the courses set forth in subdivision (e). The superintendent is authorized to issue, at any time, rules and regulations instead of the program advisory.

(g) Notwithstanding subdivision (e), a high school pupil or adult enrolled in an adult education program, course, or class of supplemental instruction in preparation for the high school exit examination may generate pupil hours of supplemental instruction for reimbursement in accordance with Sections 37252 and 42239.

SEC. 3. Section 60851.5 is added to the Education Code, to read:

60851.5. A pupil who successfully passes the high school exit examination after completing grade 12 is eligible to receive a regular diploma of high school graduation.



Approved \_\_\_\_\_, 2002

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*Governor*

