

AMENDED IN SENATE AUGUST 19, 2002

AMENDED IN SENATE AUGUST 12, 2002

AMENDED IN ASSEMBLY APRIL 10, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2607

Introduced by Assembly Member Leach

February 21, 2002

An act to amend Section 48412 of the Education Code, relating to pupil testing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2607, as amended, Leach. Exceptionally gifted pupils.

Existing law authorizes any person 16 years of age or older, and who has been enrolled in or will complete 10th grade, as specified, to have his or her proficiency in basic skills taught in public high schools verified by a test administered by the State Department of Education, and be awarded a "certificate of proficiency" that is equivalent to a high school diploma.

This bill would, in addition, authorize exceptionally gifted pupils, as defined, to have their proficiency in basic skills verified by a test administered by the State Department of Education. The bill also would permit any pupil under 16 years of age who is awarded a certificate of proficiency to be admitted to a community college only if the governing board of the community college determines that certain conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 48412 of the Education Code is
2 amended to read:
3 48412. (a) Any person 16 years of age or older, or who has
4 been enrolled in the 10th grade for one academic year or longer,
5 or who will complete one academic year of enrollment in the 10th
6 grade at the end of the semester during which the next regular
7 examination will be conducted, or who is an exceptionally gifted
8 pupil, as defined in subdivision (c), shall be permitted to have his
9 or her proficiency in basic skills taught in public high schools
10 verified according to criteria established by the State Department
11 of Education.
12 The State Board of Education shall award a “certificate of
13 proficiency” to persons who demonstrate that proficiency. The
14 certificate of proficiency shall be equivalent to a high school
15 diploma, and the State Department of Education shall keep a
16 permanent record of the issuance of all the certificates.
17 (b) Notwithstanding Section 76000, any pupil under 16 years
18 of age who is awarded a “certificate of proficiency” pursuant to
19 subdivision (a) may be admitted to a community college only if the
20 governing board of the community college district determines all
21 of the following:
22 (1) Admission of the pupil would not displace any regularly
23 admitted pupil 16 years of age or over.
24 (2) There is no evidence that enrollment is not suitable in light
25 of the pupil’s age, social, and emotional development.
26 (3) The pupil demonstrates an ability to independently function
27 in an adult environment, or a parent or guardian is able to supply
28 any appropriate supervision or other support necessary to ensure
29 the pupil’s safety and well-being on campus.
30 (c) For purposes of this section, an “exceptionally gifted
31 pupil” means a pupil who has demonstrated extraordinary
32 aptitude and academic achievement as evaluated and confirmed by
33 a teacher or other school official familiar with the pupil’s academic
34 competency and progress.
35 (d) The State Department of Education shall develop standards
36 of competency in basic skills taught in public high schools and
37 shall provide for the administration of examinations prepared by
38 or with the approval of the department to verify competency.



1 Regular examinations shall be held once in the fall semester and
2 once in the spring of every academic year on a date, as determined
3 by the State Department of Education, which will enable
4 notification of examinees and the schools they attend, if any, of the
5 results thereof not later than two weeks prior to the date on which
6 that semester ends in a majority of school districts which maintain
7 high schools.

8 In addition to regular examinations, the State Department of
9 Education may, at the discretion of the Superintendent of Public
10 Instruction, conduct examinations for all eligible persons once
11 during each summer recess and may conduct examinations at any
12 other time that the superintendent deems necessary to
13 accommodate eligible persons whose religious convictions or
14 physical handicaps prevent their attending one of the regular
15 examinations.

16 (e) The State Department of Education may charge a fee for
17 each examination application in an amount sufficient to recover
18 the costs of administering the requirements of this section.
19 However, the fee shall not exceed an amount equal to the cost of
20 test renewal and administration per examination application. All
21 fees levied and collected pursuant to this section shall be deposited
22 in the State Treasury for remittance to the current support
23 appropriation of the State Department of Education as
24 reimbursement for costs of administering this section. Any
25 reimbursements collected in excess of actual costs of
26 administration of this section shall be transferred to the
27 unappropriated surplus of the General Fund by order of the
28 Director of Finance.

29 (f) The State Board of Education shall adopt rules and
30 regulations as are necessary for implementation of this section.

31 (g) The State Department of Education shall periodically
32 review the effectiveness of the examinations administered
33 pursuant to this section. The costs of this review may be recovered
34 through the fees levied pursuant to subdivision (c).

35 SEC. 2. (a) It is the intent of the Legislature that the
36 governing board of a school district consider the following
37 alternatives as a means of addressing the unique academic needs
38 of exceptionally gifted pupils:



1 (1) Authorizing attendance at a community college as a special
2 part-time or full-time pupil as specified in Sections 48800 and
3 48800.5 of the Education Code.

4 (2) Offering an independent study ~~contract~~ *agreement*, as
5 specified in Section 51745.5 of the Education Code.

6 (3) Having the pupil demonstrate his or her proficiency
7 pursuant to Section 48412 of the Education Code, so the pupil can
8 be awarded a certificate of proficiency by the State Board of
9 Education.

10 (b) The governing board of a school district, in consultation
11 with the parent or guardian of an exceptionally gifted pupil, should
12 determine the appropriate option in light of a pupil's age,
13 emotional maturity, and readiness to undertake college level
14 coursework.

