

AMENDED IN ASSEMBLY JUNE 17, 2004
AMENDED IN SENATE JANUARY 20, 2004
AMENDED IN SENATE JANUARY 5, 2004
AMENDED IN SENATE MARCH 27, 2003

SENATE BILL

No. 76

Introduced by Senator Denham

(Coauthors: Assembly Members Benoit, La Malfa, Maze, and
Plescia)

January 22, 2003

An act to add Section 48911.3 to the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 76, as amended, Denham. Education finance: average daily attendance: apportionments.

Existing law authorizes a school district to assign a pupil suspended from school to be assigned to a supervised suspension classroom under certain circumstances and authorizes the school district to continue to claim apportionments for each pupil assigned to and attending a supervised suspension classroom if, among other things, the classroom is staffed by an employee of the district who possesses a valid certification document. Existing law authorizes the governing board of a school district to suspend the enforcement of an expulsion order and assign a pupil to a rehabilitative school, class, or program and authorizes apportionments for the attendance of pupils in those rehabilitative settings if the pupil is under the immediate supervision of

a person who shares the responsibility for the supervision of the pupils in the rehabilitative activities with certificated personnel of the district.

This bill would, notwithstanding the provisions above, authorize the governing board of a school district to request approval from the State Board of Education in order to claim apportionments for the attendance of pupils attending a suspension classroom staffed by a noncertificated school employee provided that a pupil attending the suspension classroom is allowed to complete for credit any assignments or tests that would otherwise be missed during the period of suspension, *the apportionments are for no more than 5 pupils per day, a certified employee monitors the classroom at least 2 times per day, and apportionments for a particular pupil are for no more than 10 days per academic year.*

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 48911.3 is added to the Education Code,
2 to read:

3 48911.3. Notwithstanding Section 48911.1, the governing
4 board of a school district may request approval from the State
5 Board of Education in order to claim apportionments for the
6 attendance of pupils attending a suspension classroom staffed by
7 a noncertificated school employee if the pupils attending the
8 suspension classroom are allowed to complete for credit any
9 assignments or tests that would otherwise be missed during the
10 period of suspension *and all of the following conditions are met:*

11 (a) *Apportionments are claimed for no more than five pupils*
12 *per day.*

13 (b) *A certificated employee monitors the classroom not less*
14 *than two times per day.*

15 (c) *Apportionments are not claimed for a particular pupil for*
16 *more than 10 days in an academic year.*

17 SEC. 2. The Legislature hereby declares that Section 48911.3
18 is clarifying of existing law and that the claiming of
19 apportionments for the attendance of pupils attending a suspension



- 1 classroom staffed by a noncertificated school employee is not in
- 2 conflict with Section 46300 of the Education Code.

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