

AMENDED IN ASSEMBLY MAY 8, 2006

AMENDED IN ASSEMBLY MAY 1, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2312

Introduced by Assembly Member Strickland

February 22, 2006

An act to add Section 33355 to the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2312, as amended, Strickland. Pupil transfer policy: interscholastic athletics and activities.

Under existing law, the State Department of Education has certain authority over interscholastic activities including that if the department states that a school district, an association, or consortium of school districts, or the California Interscholastic Federation is not in compliance with state or federal law, the department may require the school district, association, or consortium, or the federation to adjust its policy so that it is in compliance. Under existing law, the department is prohibited from determining the specific policy that a school district, association, or consortium, or the federation must adopt in order to comply with state and federal laws.

This bill would prohibit school districts, associations or consortia of school districts, the California Interscholastic Federation, voluntary associations, or any other entity that governs interscholastic athletics or activities from prohibiting a pupil who transfers to a school from participating in interscholastic athletics or activities at that school; ~~except where that pupil's disciplinary action resulted in restriction~~

from participating in sports at the school, that existed prior to, or at the time of, the pupil's transfer from his or her prior school if it is the pupil's first time transferring to, and participating in interscholastic athletics or activities at, a school or if the pupil is transferring to his or her neighborhood high school to which the pupil was originally assigned at the beginning of grade 9. The bill would also authorize the above entities to prohibit a pupil from participating in interscholastic athletics or activities if the prohibition is needed to enforce a prior disciplinary action which restricted that pupil's participation in interscholastic athletics or activities.

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

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

1 SECTION 1. Section 33355 is added to the Education Code,
2 to read:
3 33355. (a) School districts, associations or consortia of
4 school districts, the California Interscholastic Federation,
5 voluntary associations, or any other entity that governs or
6 regulates interscholastic athletics or activities shall not prohibit a
7 pupil who transfers to a school from participating in
8 interscholastic athletics or activities at that school *if it is the*
9 *pupil's first time transferring to, and participating in*
10 *interscholastic athletics or activities at, a school or if the pupil is*
11 *transferring to his or her neighborhood high school to which the*
12 *pupil was originally assigned at the beginning of grade 9.*
13 ~~Notwithstanding the foregoing, this section shall not be construed~~
14 ~~to prohibit a school from enforcing a disciplinary action against a~~
15 ~~pupil where that pupil's disciplinary action resulted in restriction~~
16 ~~from participating in sports activities at the school, that existed~~
17 ~~prior to, or at the time of, the pupil's transfer from his or her~~
18 ~~prior school of attendance.~~
19 (b) *Notwithstanding subdivision (a), an entity specified in*
20 *subdivision (a) may prohibit a pupil who transfers to a school*
21 *from participating in interscholastic athletics or activities if the*
22 *prohibition is needed to enforce a prior disciplinary action which*

1 *restricted that pupil's participation in interscholastic athletics or*
2 *activities.*

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