

AMENDED IN ASSEMBLY MAY 1, 2007

AMENDED IN ASSEMBLY APRIL 11, 2007

AMENDED IN ASSEMBLY MARCH 22, 2007

AMENDED IN ASSEMBLY MARCH 15, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 270**

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**Introduced by Assembly Member Huff**  
**(Coauthors: Assembly Members DeVore, Jeffries, Maze, and**  
**Sharon Runner)**

(Coauthors: Senators Ackerman, Cogdill, and Migden)

February 9, 2007

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An act to amend Sections 48313 and 48315 of, *and to add Section 48314.5 to*, the Education Code, relating to pupil attendance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 270, as amended, Huff. Pupil attendance: interdistrict transfers.

Existing law requires each person between the ages of 6 and 18 years who is not otherwise exempt to attend the public full-time day school in the school district in which his or her parent or guardian is a resident. The governing board of a school district is authorized to accept interdistrict transfers by admitting pupils residing in other school districts to attend its schools, subject to specified conditions. A school district that elects to accept interdistrict transfers is authorized to keep an accounting of all requests made for alternative attendance and records of all disposition of those requests. The provisions governing interdistrict

transfers become inoperative on July 1, 2007, and repeal on January 1, 2008.

This bill would, instead, require a school district that elects to accept interdistrict transfers to keep an accounting of all requests made for alternative attendance and records of all disposition of those requests and to report that information to the Superintendent of Public Instruction annually on or before a date designated by the Superintendent. Commencing in 2008, the Superintendent *annually* would be required to make the information received from school districts available to the Governor, the Legislature, and the public ~~annually~~ on or before April 1. On or before ~~September~~ *November* 1, 2008, the Legislative Analyst's Office would be required to prepare and submit a report to the Legislature regarding the effectiveness of the interdistrict transfer program. *Commencing on the effective date of this bill, the governing board of a school district that has not previously elected to participate in the interdistrict transfer program would be prohibited from electing to become a school district of choice, as defined.* The inoperative and repeal dates for the provisions governing interdistrict transfers would be extended to July 1, 2009, and January 1, 2010, respectively.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . 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 48313 of the Education Code is amended
- 2 to read:
- 3 48313. (a) Pursuant to this article, each school district electing
- 4 to accept transfer pupils shall keep an accounting of all requests
- 5 made for alternative attendance and records of all disposition of
- 6 those requests that may include, but are not limited to, all of the
- 7 following:
- 8 (1) The number of requests granted, denied, or withdrawn. In
- 9 the case of denied requests, the records may indicate the reasons
- 10 for the denials.
- 11 (2) The number of pupils transferred out of the district *pursuant*
- 12 *to this article.*
- 13 (3) The number of pupils transferred into the district *pursuant*
- 14 *to this article.*

1 (b) The information maintained pursuant to subdivision (a) may  
2 be reported to the governing board of the school district at a  
3 regularly scheduled meeting of the governing board. The school  
4 district annually shall report the information maintained pursuant  
5 to subdivision (a) in addition to information regarding the district's  
6 status as a school district of choice to the Superintendent on or  
7 before a date designated by the Superintendent. Commencing in  
8 2008, the Superintendent annually shall make the information  
9 available to the Governor, the Legislature, and the public on or  
10 before April 1.

11 (c) On or before ~~September~~ *November* 1, 2008, the Legislative  
12 Analyst's Office shall prepare and submit to the Legislature a  
13 report ~~regarding the effectiveness of evaluating interdistrict~~  
14 *transfer options within the state with an emphasis on the*  
15 *interdistrict transfer program pursuant to this article.* The report  
16 shall include, but is not limited to, all of the following:

17 ~~(1) The number of school districts operating as school districts~~  
18 ~~of choice.~~

19 *(1) The purpose of providing interdistrict transfer options and*  
20 *other school choice options within the state, with a specific focus*  
21 *on the interdistrict transfer program pursuant to this article.*

22 *(2) The extent to which pupils transfer using each of the various*  
23 *interdistrict transfer options within the state and the characteristics*  
24 *of pupils who use those options.*

25 ~~(2)~~

26 *(3) The impact that interdistrict transfer policies, specifically*  
27 *the interdistrict transfer program pursuant to this article has article,*  
28 *have on school districts of residence and school districts of choice,*  
29 *including, but not limited to, the extent to which transfers to school*  
30 *districts of choice contribute to declining enrollment. any of the*  
31 *following:*

32 *(A) Changes in educational outcomes as measured by test*  
33 *scores, the API, graduation rates, or other outcome measures.*

34 *(B) Changes in enrollment or enrollment patterns.*

35 *(C) Changes in the intradistrict and interdistrict movement of*  
36 *teachers.*

37 *(D) Changes in the fiscal health of school districts.*

38 ~~(3)~~

1 (4) Whether any school district *has* exceeded the transfer limits  
2 in Section 48307 *and the resulting implications for the impacted*  
3 *district.*

4 ~~(4)~~

5 (5) Recommendations regarding the extension of the interdistrict  
6 transfer program *pursuant to this article.*

7 *SEC. 2. Section 48314.5 is added to the Education Code, to*  
8 *read:*

9 *48314.5. Notwithstanding any other provision of this article,*  
10 *commencing on the effective date of the act adding this section,*  
11 *the governing board of a school district that has not previously*  
12 *elected to participate in interdistrict transfers pursuant to this*  
13 *article shall not elect to become a school district of choice.*

14 ~~SEC. 2.~~

15 *SEC. 3. Section 48315 of the Education Code is amended to*  
16 *read:*

17 48315. This article shall become inoperative on July 1, 2009,  
18 and, as of January 1, 2010, is repealed, unless a later enacted  
19 statute, which becomes effective on or before January 1, 2010,  
20 deletes or extends the dates on which it becomes inoperative and  
21 is repealed.

22 ~~SEC. 3.~~

23 *SEC. 4. This act is an urgency statute necessary for the*  
24 *immediate preservation of the public peace, health, or safety within*  
25 *the meaning of Article IV of the Constitution and shall go into*  
26 *immediate effect. The facts constituting the necessity are:*

27 In order to ensure that pupils continue to have the opportunity  
28 to apply for interdistrict transfers, it is necessary that this act take  
29 effect immediately.