

**ASSEMBLY BILL**

**No. 466**

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**Introduced by Assembly Member Hancock**

February 20, 2007

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An act to amend Section 46300 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 466, as introduced, Hancock. Pupils: average daily attendance.

Existing law authorizes a pupil to be excused from school for specified reasons, including for the purpose of serving as a member of a precinct board for an election. Existing law provides that excused absences for those specified reasons are, nevertheless, absences for the purpose of computing average daily attendance and do not generate state apportionment payments.

Existing law requires that the attendance of pupils participating in independent study for 5 or more consecutive schooldays, as specified, be included in computing the average daily attendance of a school district. Among the educational opportunities that may be offered through independent study are volunteer community service activities.

This bill would authorize service by a pupil as a member of a precinct board to be independent study and would exempt that pupil from the requirement that the pupil participate in that activity for 5 or more consecutive schooldays if, among other things, the pupil is required to complete a report or written assignment on the subject of the activities engaged in by the pupil while serving as a member of a precinct board. The bill would require the teacher of any class from which a pupil is absent to ensure that the report or written assignment is submitted within a reasonable time after the activities are completed.

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 46300 of the Education Code is amended  
2 to read:

3 46300. (a) In computing average daily attendance of a school  
4 district or county office of education, there shall be included the  
5 attendance of pupils while engaged in educational activities  
6 required of those pupils and under the immediate supervision and  
7 control of an employee of the district or county office who  
8 possessed a valid certification document, registered as required  
9 by law.

10 (b) (1) For the purposes of a work experience education  
11 program in a secondary school that meets the standards of the  
12 California State Plan for Vocational Education, “immediate  
13 supervision,” in the context of off-campus work training stations,  
14 means pupil participation in on-the-job training as outlined under  
15 a training agreement, coordinated by the school district under a  
16 state-approved plan, wherein the employer and certificated school  
17 personnel share the responsibility for on-the-job supervision.

18 (2) The pupil-teacher ratio in a work experience program shall  
19 not exceed 125 pupils per full-time equivalent certificated teacher  
20 coordinator. Notwithstanding Section ~~52033~~ 33050, this ratio may  
21 be waived by the State Board of Education pursuant to Article 3  
22 (commencing with Section 33050) of Chapter 1 of Part 20 under  
23 criteria developed by the State Board of Education.

24 (3) A pupil enrolled in a work experience program shall not be  
25 credited with more than one day of attendance per calendar day,  
26 and shall be a full-time pupil enrolled in regular classes that meet  
27 the requirements of Section 46141 or 46144.

28 (c) (1) For purposes of the rehabilitative schools, classes, or  
29 programs described in Section 48917 that require immediate  
30 supervision, “immediate supervision” means that the person to  
31 whom the pupil is required to report for training, counseling,  
32 tutoring, or other prescribed activity shares the responsibility for  
33 the supervision of the pupils in the rehabilitative activities with  
34 certificated personnel of the district.

1 (2) A pupil enrolled in a rehabilitative school, class, or program  
2 shall not be credited with more than one day of attendance per  
3 calendar day.

4 (d) (1) For the purposes of computing the average daily  
5 attendance of pupils engaged in the educational activities required  
6 of high school pupils who are also enrolled in a regional  
7 occupational center or regional occupational program, the school  
8 district shall receive proportional average daily attendance credit  
9 for those educational activities that are less than the minimum  
10 schoolday, pursuant to regulations adopted by the State Board of  
11 Education; however, none of that attendance shall be counted for  
12 purposes of computing attendance pursuant to Section 52324.

13 (2) A school district shall not receive proportional average daily  
14 attendance credit pursuant to this subdivision for any pupil in  
15 attendance for less than 145 minutes each day.

16 (3) The divisor for computing proportional average daily  
17 attendance pursuant to this subdivision is 240, except that, in the  
18 case of a pupil excused from physical education classes pursuant  
19 to Section 52316, the divisor is 180.

20 (4) Notwithstanding any other provision of law, travel time of  
21 pupils to attend a regional occupational center or regional  
22 occupational program shall not be used in any manner in the  
23 computation of average daily attendance.

24 (e) (1) In computing the average daily attendance of a school  
25 district, there shall also be included the attendance of pupils  
26 participating in independent study conducted pursuant to Article  
27 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 for  
28 five or more consecutive schooldays.

29 (2) A pupil participating in independent study shall not be  
30 credited with more than one day of attendance per calendar day.

31 (3) *For purposes of this subdivision, service by a pupil as a*  
32 *member of a precinct board for an election pursuant to Section*  
33 *12302 of the Elections Code may be deemed to be independent*  
34 *study. Notwithstanding paragraph (1), the pupil is not required to*  
35 *participate in that activity for five or more consecutive schooldays*  
36 *if the pupil is required to do both of the following:*

37 (A) *Complete all assignments and tests missed during the*  
38 *absence. The teacher of a class from which a pupil is absent shall*  
39 *ensure that the tests and assignments are reasonably equivalent*  
40 *to the tests and assignments that the pupil missed during the*

1 *absence, but those tests and assignments need not be identical to*  
2 *the ones missed by the pupil during his or her absence.*

3 *(B) Complete a report or written assignment on the subject of*  
4 *the activities engaged in by the pupil while serving as a member*  
5 *of a precinct board for an election pursuant to Section 12302 of*  
6 *the Elections Code. The teacher of a class from which a pupil is*  
7 *absent shall ensure that the report or written assignment is*  
8 *submitted within a reasonable time after the activities are*  
9 *completed.*

10 (f) For purposes of cooperative vocational education programs  
11 and community classrooms described in Section 52372.1,  
12 “immediate supervision” means pupil participation in paid and  
13 unpaid on-the-job experiences, as outlined under a training  
14 agreement and individualized training plans wherein the supervisor  
15 of the training site and certificated school personnel share the  
16 responsibility for the supervision of on-the-job experiences.

17 (g) In computing the average daily attendance of a school  
18 district, there shall be included the attendance of pupils in  
19 kindergarten after they have completed one school year in  
20 kindergarten only if the school district has on file for each of those  
21 pupils an agreement made pursuant to Section 48011, approved  
22 in form and content by the ~~State Department of Education~~  
23 *department* and signed by the pupil’s parent or guardian, that the  
24 pupil may continue in kindergarten for not more than an additional  
25 school year.