

Assembly Bill No. 796

Passed the Assembly September 8, 2009

Chief Clerk of the Assembly

Passed the Senate September 1, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 48205 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 796, Carter. Pupil attendance: civic engagement activities.

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. A pupil who is absent from school for these reasons is required to be permitted to complete all assignments and tests missed during the absence that can be reasonably provided.

This bill would include civic engagement activities, as defined, offered by a nonprofit organization or a governmental entity among the types of absences that are excused. The bill would prohibit a school from excusing a pupil from school when the absence is due to participation in a demonstration or political campaign.

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

SECTION 1. Section 48205 of the Education Code is amended to read:

48205. (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.

(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, or participation in civic engagement activities offered by a nonprofit organization or governmental entity, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.

(8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit for the assignments and tests. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) A pupil shall not be excused from school when the absence is due to participation in a demonstration or political campaign.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) For purposes of this section:

(1) Attendance at religious retreats shall not exceed four hours per semester, and participation in civic engagement activities shall not exceed 10 days per academic year.

(2) "Civic engagement activities" means volunteering to work in a community to help address a problem or interact with the institutions of representative democracy. Civic engagement activities may include, but are not limited to, volunteering to work at a community-based nonprofit organization, serving on a neighborhood association, tutoring or mentoring young children, testifying before the local city council, or appearing before a state or federal board or committee. Civic engagement activities shall not include participation in a demonstration or political campaign.

(f) “Immediate family” has the same meaning as that set forth in Section 45194, except that references in that section to “employee” shall be deemed to be references to “pupil.”

Approved _____, 2009

Governor