

Assembly Bill No. 2211

CHAPTER 254

An act to amend Sections 51760 and 60119 of, and to add Sections 51760.1 and 51760.2 to, the Education Code, relating to instruction, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 23, 2010. Filed with
Secretary of State September 24, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2211, Fuentes. Instruction.

(1) Existing law authorizes school districts that maintain high schools to establish work experience programs for the purpose of providing pupils with instruction in skills, attitudes, and understandings necessary for success in employment.

This bill would state the findings of the Legislature regarding work-based learning, as defined. This bill would authorize school districts that maintain high schools to establish work-based learning programs, and to purchase liability insurance for pupils enrolled in programs of study involving work-based learning, off school grounds. The bill would authorize partnership academies, regional occupational programs, and local educational agencies to deliver work-based learning opportunities for pupils that may include work experience education, community classrooms, cooperative career technical education programs, and job shadowing experience, as specified. The bill would authorize regional and local business organizations, in conjunction with school districts and community colleges, and any other representatives deemed appropriate, to develop principles and guidelines for the establishment of work-based learning programs.

(2) Existing law requires that, in order to be eligible for specified funds, a school district take steps to ensure that each pupil in each school in the district has sufficient textbooks, as defined.

This bill would provide that for purposes of these provisions, sufficient textbooks may include digital materials, as long as each pupil has the ability to access the digital material at home and, at a minimum, has the same content in class and to take home as all other pupils in the same class or course in the district.

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

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

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) Public secondary education prepares pupils for success after high school, including further education and training without remediation, productive employment with opportunities for advancement, and civic participation.

(b) Well-designed education programs intentionally combine rigorous college preparatory education with demanding career technical education, both of which are supported by high-quality work-based learning and necessary support services that promote success.

(c) Work-based learning is an essential component of any comprehensive educational program of study. It brings meaning and relevance to the educational program.

(d) Work-based learning offers opportunities to learn through real-world experience. Pupils gain access to job shadowing, mentorships, intensive internships, real or virtual apprenticeships, and school-based enterprises. These experiences complement classroom instruction and help sharpen the desire of pupils to increase knowledge and skills that are relevant to their postsecondary and career interests.

(e) Work-based learning is currently provided to pupils through existing programs, including, but not limited to, work experience, cooperative vocational education, regional occupational programs, and community classrooms.

(f) High-quality work-based learning includes systematic attention to the development of 21st century skills, such as communication, problem solving, teamwork, project planning, and critical thinking.

(g) Furthermore, work-based learning allows pupils to work side by side with adult professionals who help instill professional behavior, real-world expectations, a strong work ethic, the need for ongoing learning, and a desire to achieve.

(h) High-quality work-based learning experiences share the following characteristics:

(1) Prioritization of learning over work production.

(2) Exposure to a wide range of career areas and worksites in order to help youth make informed choices about education, training options, and career pursuits.

(3) Thoughtful placement of pupils into opportunities that are evaluated for their safety, qualified supervision, and learning opportunities.

(4) Appropriate sequencing of experiences based upon the pupil's age and maturity, ranging from site visits and tours, job shadowing, unpaid and paid internships, and paid work experience.

(5) Explicit aim to supplement, or systematically reinforce, classroom instruction in technical courses, academic courses, or both.

(6) A trained workplace mentor who works in collaboration with a classroom teacher to structure the learning at the worksite.

- (7) Built-in regular assessment and feedback.
- (8) Involvement of youth in choosing and structuring the experience.
- (9) Clear and measurable learning outcomes.
- (i) Work-based learning may take many forms, including, but not limited to, job shadowing, internships, work experience, community classrooms, real or virtual apprenticeships, and school-based enterprises.

SEC. 2. Section 51760 of the Education Code is amended to read:

51760. The governing board of a district maintaining a high school may do all of the following:

- (a) Provide for the instruction of pupils in the skills, attitudes, and understanding necessary to succeed in employment by means of courses of work-based learning or work experience education as provided in this article.
- (b) Provide for guidance and supervision procedures designed to ensure maximum educational benefit to pupils from placement in suitable work-based learning or work experience education courses.
- (c) Provide for arranging, approving, coordinating, and awarding credit for work-based learning or work experience education courses, and for those purposes employ instructors, coordinators, and other necessary personnel.
- (d) Provide for the district to purchase liability insurance for pupils enrolled in programs of study involving work experience, which may include work-based learning, or vocational education at locations off school grounds approved by the governing board, or require pupils to purchase insurance and to pass on all or a portion of the costs, at the discretion of the governing board, to the district.

SEC. 3. Section 51760.1 is added to the Education Code, to read:

51760.1. (a) Consistent with the most recent state plan on career technical education, work-based learning opportunities for pupils may be delivered by partnership academies conducted pursuant to Article 5 (commencing with Section 54690) of Chapter 9 of Part 29, regional occupational programs, as defined in Section 52303, programs established pursuant to Section 88532, and local educational agencies, and may include, but are not limited to, work experience education, as defined in Section 51764, community classrooms, as defined in subdivision (c) of Section 52372.1, cooperative career technical education programs, as defined in subdivision (b) of Section 52372.1, and job shadowing experience, as defined in subdivision (b) of Section 51769.

(b) School districts and community colleges that receive funding to provide career technical education programs pursuant to Section 52055.770 may include a work-based learning component in these programs.

(c) Notwithstanding any other law, school districts opting to offer work-based learning opportunities to pupils enrolled in the district shall ensure that, when applicable, pupils are afforded the same statutory and regulatory safeguards as pupils in work experience programs.

(d) For purposes of this section, “work-based learning” means an educational approach or instructional methodology that uses the workplace or real work to provide pupils with the knowledge and skills that will help them connect school experiences to real-life work activities and future career

opportunities. When feasible, work-based learning should be an integral part of a more comprehensive program that integrates academic courses and career technical education.

(e) High-quality work-based learning may include, but is not limited to, any of the following:

- (1) Emphasis on learning in the workplace.
- (2) Exposure to a wide range of career areas and worksites in order to help youth make informed choices about education, training options, and career pursuits.
- (3) Thoughtful placement of pupils into opportunities that are evaluated for their safety, qualified supervision, and learning opportunities.
- (4) Appropriate sequencing of experiences based upon the pupil's age and maturity, ranging from site visits and tours, job shadowing, unpaid and paid internships, and paid work experience.
- (5) Explicit aim to supplement, or systematically reinforce, classroom instruction in technical courses, academic courses, or both.
- (6) Systematic attention to the development of 21st century skills, such as communication, problem solving, teamwork, project planning, and critical thinking.
- (7) A trained mentor who structures the learning at the worksite.
- (8) Coordination between the classroom teacher and the workplace mentor or supervisor.
- (9) Built-in regular assessment and feedback.
- (10) Involvement of youth in choosing and structuring the experience.
- (11) Clear and measurable learning outcomes.

(f) School districts are encouraged to work with local workforce investment board youth councils and workforce investment boards to maximize the use of available resources for youth employment opportunities by coordinating work-based learning opportunities and facilitating work-based learning regional planning.

SEC. 4. Section 51760.2 is added to the Education Code, to read:

51760.2. Regional and local business organizations, in conjunction with school districts and community colleges, and any other representatives deemed appropriate, including, but not limited to, industry representatives, research centers, and parents, may develop principles and guidelines for the establishment of work-based learning programs. If these organizations develop principles and guidelines pursuant to this section, both of the following shall occur:

(a) The organizations shall consider existing guidelines or regulations relative to the programs described in subdivision (a) of Section 51760.1, the state's most recent career technical education plan, and the most current academic and career technical education standards adopted by the state board.

(b) The guidelines shall include specific guidance to school districts and community colleges on ensuring that a pupil's workplace learning opportunities are linked directly to academic learning objectives and provide

the necessary skills for the pupil to use in future employment or postsecondary education opportunities.

SEC. 5. Section 60119 of the Education Code is amended to read:

60119. (a) In order to be eligible to receive funds available for the purposes of this article, the governing board of a school district shall take the following actions:

(1) (A) The governing board shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the district has sufficient textbooks or instructional materials, or both, that are aligned to the content standards adopted pursuant to Section 60605 in each of the following subjects, as appropriate, that are consistent with the content and cycles of the curriculum framework adopted by the state board:

(i) Mathematics.

(ii) Science.

(iii) History-social science.

(iv) English/language arts, including the English language development component of an adopted program.

(B) The public hearing shall take place on or before the end of the eighth week from the first day pupils attend school for that year. A school district that operates schools on a multitrack, year-round calendar shall hold the hearing on or before the end of the eighth week from the first day pupils attend school for that year on any tracks that begin a school year in August or September. For purposes of the 2004–05 fiscal year only, the governing board of a school district shall make a diligent effort to hold a public hearing pursuant to this section on or before December 1, 2004.

(C) As part of the hearing required pursuant to this section, the governing board also shall make a written determination as to whether each pupil enrolled in a foreign language or health course has sufficient textbooks or instructional materials that are consistent with the content and cycles of the curriculum frameworks adopted by the state board for those subjects. The governing board also shall determine the availability of laboratory science equipment as applicable to science laboratory courses offered in grades 9 to 12, inclusive. The provision of the textbooks, instructional materials, or science equipment specified in this subparagraph is not a condition of receipt of funds provided by this subdivision.

(2) (A) If the governing board determines that there are insufficient textbooks or instructional materials, or both, the governing board shall provide information to classroom teachers and to the public setting forth, in the resolution, for each school in which an insufficiency exists, the percentage of pupils who lack sufficient standards-aligned textbooks or instructional materials in each subject area and the reasons that each pupil does not have sufficient textbooks or instructional materials, or both, and take any action, except an action that would require reimbursement by the Commission on State Mandates, to ensure that each pupil has sufficient

textbooks or instructional materials, or both, within two months of the beginning of the school year in which the determination is made.

(B) In carrying out subparagraph (A), the governing board may use money in any of the following funds:

(i) Any funds available for textbooks or instructional materials, or both, from categorical programs, including any funds allocated to school districts that have been appropriated in the annual Budget Act.

(ii) Any funds of the school district that are in excess of the amount available for each pupil during the prior fiscal year to purchase textbooks or instructional materials, or both.

(iii) Any other funds available to the school district for textbooks or instructional materials, or both.

(b) The governing board shall provide 10 days' notice of the public hearing or hearings set forth in subdivision (a). The notice shall contain the time, place, and purpose of the hearing and shall be posted in three public places in the school district. The hearing shall be held at a time that will encourage the attendance of teachers and parents and guardians of pupils who attend the schools in the district and shall not take place during or immediately following school hours.

(c) (1) For purposes of this section, "sufficient textbooks or instructional materials" means that each pupil, including English learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home. This paragraph does not require two sets of textbooks or instructional materials for each pupil. The materials may be in a digital format as long as each pupil, at a minimum, has and can access the same materials in the class and to take home, as all other pupils in the same class or course in the district and has the ability to use and access them at home.

(2) Sufficient textbooks or instructional materials as defined in paragraph (1), does not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage.

(d) The governing board of a school district that receives funds for instructional materials from any state source is subject to the requirements of this section.

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Because of current economic conditions and lack of education funding, public and private partnerships are necessary for pupils to learn relevant skills inside and outside the classroom and because work-based learning has proven to engage pupils very effectively in preparation for higher education and the workplace, it is necessary that this act take effect immediately.