

**ASSEMBLY BILL**

**No. 1362**

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**Introduced by Assembly Member Nestande**  
(Coauthor: Senator Padilla)

February 18, 2011

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An act to add Section 46001 to the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1362, as introduced, Nestande. Pupil attendance: electronic attendance accounting systems.

Existing law requires that pupil attendance and absence be recorded for certain purposes, including meeting requirements relating to the minimum required school day and calculation of average daily attendance. Existing law requires that records of pupil attendance be kept according to specified provisions of law.

This bill would authorize a local educational agency to use electronic attendance accounting systems that meet certain requirements, and that are approved by the State Department of Education, for purposes of demonstrating that pupils have satisfied the minimum instructional time requirements and for purposes of computing average daily attendance. The bill also would authorize pupil attendance records to be combined from more than one system, including manual and electronic attendance accounting systems.

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 46001 is added to the Education Code,  
2 to read:  
3 46001. (a) Notwithstanding any other provision of law, records  
4 of cumulative minutes of instruction for an individual pupil may  
5 be combined from more than one system, including manual and  
6 electronic attendance accounting systems, to satisfy the  
7 requirements of Section 44809, to satisfy accounting for the  
8 minimum school day requirements pursuant to Chapter 2  
9 (commencing with Section 46100), and to be used for computing  
10 average daily attendance pursuant to Chapter 3 (commencing with  
11 Section 46300).  
12 (b) (1) Local educational agencies may use electronic  
13 attendance accounting systems approved by the department for  
14 purposes of demonstrating that pupils have satisfied the minimum  
15 instructional time requirements and for purposes of computing  
16 average daily attendance.  
17 (2) For purposes of this section, electronic attendance accounting  
18 systems, at a minimum, shall track the original date and time that  
19 data is entered for each pupil and identify by password or other  
20 acceptable mechanism the identity of the data recorder.