

AMENDED IN SENATE APRIL 26, 2011

AMENDED IN SENATE MARCH 21, 2011

SENATE BILL

No. 532

Introduced by Senator Hernandez
(Coauthor: Senator Price)

February 17, 2011

An act to amend Section 52240 of, and to add Sections 76003 and 89012 to, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 532, as amended, Hernandez. ~~Advanced placement program. Pupil instruction: high school curriculum.~~

(1) Existing law contains legislative findings and declarations stating that advanced placement courses, among other things, help to improve the overall curriculum at schools where they are provided and provide a cost-effective means for high school pupils to obtain college-level coursework experience. ~~Existing law states the intent of the Legislature to provide financial assistance to economically disadvantaged pupils for the payment of advanced placement examination fees.~~

~~This bill, commencing with the 2013–14 school year, would require a school district maintaining any of grades 9 to 12, inclusive, to offer advanced placement courses in English, history, foreign language, mathematics, and science at each high school that during the 2012–13 school year did not offer those courses. If an advanced placement teacher is not available or if fewer than 10 pupils would be enrolled in any given advanced placement course, the bill would require a school district to consider alternative means of providing advanced placement courses, including high-quality online courses. The bill would define a “high-quality online course” for the purposes of this provision. By~~

~~requiring school districts to offer advanced placement courses, the bill would impose a state-mandated local program would require the Superintendent of Public Instruction annually to update the information on advanced placement available on the Internet Web site of the State Department of Education to include current information on the various means available to school districts to offer or access advanced placement courses, including online courses, and annually to communicate with high schools that offer advanced placement courses in fewer than 5 subjects and inform them of the various options for making advanced placement courses and other rigorous courses available to pupils who may benefit from them.~~

(2) Existing law authorizes a system of incentives to encourage high schools to operate International Baccalaureate Diploma Programs, and to encourage pupils in these schools to enroll in, attempt, and pass the International Baccalaureate course of study and examinations that lead to the International Baccalaureate Diploma.

~~This bill would require the governing board of a community college district and the California State University to give a student who scored 5, 6, or 7 on the International Baccalaureate examinations taken during high school the same amount of credit given to students who scored 4 or 5 on the equivalent advanced placement examinations taken during high school. By requiring the governing board of community colleges to give eligible students these credits, the bill would impose a state-mandated local program encourage the Academic Senate for the California Community Colleges, the Academic Senate of the California State University, and the Academic Senate of the University of California to continue their efforts to adopt consistent systemwide guidelines for the acceptance and granting of credit for International Baccalaureate Diploma Program courses taken by students while they are in high school.~~

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

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

1 SECTION 1. Section 52240 of the Education Code is amended
2 to read:

3 52240. (a) The Legislature hereby finds and declares all of the
4 following:

5 (1) Advanced placement courses, for which school credit is
6 awarded, provide rigorous academic coursework opportunities for
7 high school pupils and help to improve the overall curriculum at
8 schools where those courses are provided.

9 (2) The successful completion of advanced placement courses
10 and the subsequent advanced placement examinations, which are
11 conducted by the College Entrance Examination Board and for
12 which college credit is awarded, provide a cost-effective means
13 for high school pupils to obtain college-level coursework
14 experience.

15 (3) To the extent that economically disadvantaged pupils are
16 provided financial assistance to take advanced placement
17 examinations, they will be provided with successful college-level
18 experience and be encouraged to pursue postsecondary education
19 opportunities.

20 (b) It is the intent of the Legislature, therefore, that certain state
21 funding that currently is provided to school districts be made
22 available to provide financial assistance to economically
23 disadvantaged pupils for the payment of advanced placement
24 examination fees. It is further the intent of the Legislature that a
25 competitive grant program also be established for the purpose of
26 awarding grants to economically disadvantaged pupils to cover
27 the costs of advanced placement examination fees, thereby creating
28 a second source of financial assistance for economically
29 disadvantaged pupils taking advanced placement examinations.

30 ~~(c) Commencing with the 2013–14 school year, a school district~~
31 ~~maintaining any of grades 9 to 12, inclusive, shall offer advanced~~
32 ~~placement courses in each of the following areas of study at each~~
33 ~~school in the district maintaining any of grades 9 to 12, inclusive,~~
34 ~~that did not offer those courses during the 2012–13 school year:~~

- 35 ~~(1) English.~~
- 36 ~~(2) History.~~
- 37 ~~(3) Foreign language.~~
- 38 ~~(4) Mathematics.~~

1 ~~(5) Science.~~

2 ~~(d) If an advanced placement teacher is not available or if fewer~~
3 ~~than 10 pupils would be enrolled in any given advanced placement~~
4 ~~course, a school district shall consider alternative means of~~
5 ~~providing advanced placement courses. Alternative means may~~
6 ~~include, but are not limited to, high-quality online courses.~~

7 ~~(e) For the purposes of this section, a “high-quality online~~
8 ~~course” means an online course that meets all of the following~~
9 ~~requirements:~~

10 ~~(1) The online course is approved by the governing body of the~~
11 ~~local educational agency.~~

12 ~~(2) The online course is certified to meet these requirements,~~
13 ~~through a resolution adopted by the governing body of the local~~
14 ~~educational agency.~~

15 ~~(3) The online course is certified by the governing body of the~~
16 ~~local educational agency as being as rigorous as a classroom-based~~
17 ~~course and meeting or exceeding all relevant state content~~
18 ~~standards.~~

19 ~~(4) Either of the following:~~

20 ~~(A) The teacher is online at the same time as each pupil, is~~
21 ~~accessible to each pupil attending the synchronous online course~~
22 ~~to respond to pupil queries, assign tasks, and dispense information,~~
23 ~~and is able to make a visual connection with each pupil for the~~
24 ~~purposes of verifying attendance or providing immediate~~
25 ~~supervision of the pupil.~~

26 ~~(B) The teacher may be online at different times than each pupil,~~
27 ~~is accessible to each pupil attending the asynchronous online course~~
28 ~~to respond to pupil queries, assign tasks, and dispense information,~~
29 ~~and, for the purposes of verifying attendance, is able to employ at~~
30 ~~least one of the following:~~

31 ~~(i) Periodic proctored examinations.~~

32 ~~(ii) Direct teacher-pupil meetings no less than twice per calendar~~
33 ~~month.~~

34 ~~(iii) A visual connection, including, but not limited to, Internet~~
35 ~~Webeam.~~

36 ~~(5) (A) The ratio of full-time equivalent certificated teachers~~
37 ~~teaching the online course to pupils enrolled in that course is~~
38 ~~greater than or equal to the ratio of teachers to pupils in traditional~~
39 ~~classroom study of the same subject matter in the school, school~~
40 ~~district, or the unified school district with the largest average daily~~

1 attendance of pupils in that county for the prior school year, as
2 reported on the Internet Web site of the department.

3 (B) If the online course is new or deemed by the governing body
4 of the local educational agency to be unique to the online setting,
5 the ratio of full-time equivalent certificated teachers to pupils
6 enrolled in that course shall not exceed 30 to 1.

7 (C) If the online course is new or deemed by the governing body
8 of the local educational agency to be unique to the online setting,
9 the teacher of the online course, at a minimum, shall meet the
10 requirements described in paragraph (7).

11 (6) When a traditional classroom-based course of the same
12 course title exists within the local educational agency, the subject
13 matter content of the online course is the same as for the traditional
14 classroom-based course.

15 (7) The teacher of the online course holds the appropriate subject
16 matter credential and meets the requirements for a highly qualified
17 teacher pursuant to the federal No Child Left Behind Act of 2001
18 (20 U.S.C. Sec. 6301 et seq.).

19 (8) Statewide testing results for online pupils are reported and
20 assigned to the local educational agency in which the pupil is
21 enrolled for regular classroom courses.

22 (9) The online course is offered by a high school, continuation
23 school, county office of education, or charter school.

24 (10) A pupil is not assigned to the online course unless the pupil
25 voluntarily elects to participate in the online course and the parent
26 or guardian of the pupil provides written consent before the pupil
27 participates in the online course.

28 (11) A pupil voluntarily electing to participate in the online
29 course is not denied access because the pupil lacks the computer
30 hardware or software necessary to participate in the online course.

31 (12) A pupil is not charged for his or her participation in the
32 online course.

33 (13) Pupils enrolled in the online course take examinations by
34 proctor or other reliable methods are used to ensure test integrity,
35 and there is a clear record of pupil work, using the same method
36 of documentation and assessment as used in a classroom-based
37 course.

38 (14) Contemporaneous records of the time that a pupil spends
39 online in the course and in related activities, and of the time the
40 teacher is online, are maintained by the local educational agency.

1 (c) *The Superintendent annually shall update the information*
2 *on advanced placement available on the department's Internet*
3 *Web site to include current information on the various means*
4 *available to school districts to offer or access advanced placement*
5 *courses, including online courses. The Superintendent annually*
6 *shall communicate with high schools that offer advanced placement*
7 *courses in fewer than five subjects, and inform them of the various*
8 *options for making advanced placement courses and other rigorous*
9 *courses available to pupils who may benefit from them.*

10 ~~SEC. 2. Section 76003 is added to the Education Code, to read:~~

11 ~~76003. The governing board of a community college district~~
12 ~~shall give a student who scored 5, 6, or 7 on the International~~
13 ~~Baccalaureate examinations taken during high school the same~~
14 ~~amount of credit given to students who scored 4 or 5 on the~~
15 ~~equivalent advanced placement examinations taken during high~~
16 ~~school.~~

17 ~~SEC. 3. Section 89012 is added to the Education Code, to read:~~

18 ~~89012. The California State University shall give a student~~
19 ~~who scored 5, 6, or 7 on the International Baccalaureate~~
20 ~~examinations taken during high school the same amount of credit~~
21 ~~given to students who scored 4 or 5 on the equivalent advanced~~
22 ~~placement examinations taken during high school.~~

23 ~~SEC. 4. If the Commission on State Mandates determines that~~
24 ~~this act contains costs mandated by the state, reimbursement to~~
25 ~~local agencies and school districts for those costs shall be made~~
26 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
27 ~~4 of Title 2 of the Government Code.~~

28 *SEC. 2. The Legislature encourages the Academic Senate for*
29 *the California Community Colleges, the Academic Senate of the*
30 *California State University, and the Academic Senate of the*
31 *University of California to continue their efforts to adopt consistent*
32 *systemwide guidelines for the acceptance and granting of credit*
33 *for International Baccalaureate Diploma Program courses taken*
34 *by students while they are in high school.*