

ASSEMBLY BILL

No. 342

Introduced by Assembly Member Blumenfield

February 13, 2013

An act to amend Section 51745.6 of the Education Code, relating to independent study.

LEGISLATIVE COUNSEL'S DIGEST

AB 342, as introduced, Blumenfield. Independent study: pupil to certificated employee ratio.

Existing law authorizes the governing board of a school district or a county office of education to offer independent study and requires the ratio of average daily attendance for independent study pupils 18 years of age or less to full-time equivalent certificated employees responsible for independent study to not exceed a specified ratio.

This bill would authorize a school district or a county office of education to collectively bargain for a higher ratio of average daily attendance for independent study pupils 18 years of age or less to full-time equivalent certificated employees responsible for independent study.

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

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

- 1 SECTION 1. Section 51745.6 of the Education Code is
- 2 amended to read:
- 3 51745.6. (a) The ratio of average daily attendance for
- 4 independent study pupils 18 years of age or less to school district

1 full-time equivalent certificated employees responsible for
 2 independent study, calculated as specified by the ~~State Department~~
 3 ~~of Education, department~~, shall not exceed the equivalent ratio of
 4 pupils to full-time certificated employees for all other educational
 5 programs operated by the school district, *unless a different ratio*
 6 *is collectively bargained*. The ratio of average daily attendance
 7 for independent study pupils 18 years of age or less to county office
 8 of education full-time equivalent certificated employees responsible
 9 for independent study, to be calculated in a manner prescribed by
 10 the ~~State Department of Education, department~~, shall not exceed
 11 the equivalent ratio of pupils to full-time certificated employees
 12 for all other educational programs operated by the high school or
 13 unified school district with the largest average daily attendance of
 14 pupils in that county, *unless a different ratio is collectively*
 15 *bargained*. The computation of those ratios shall be performed
 16 annually by the reporting agency at the time of, and in connection
 17 with, the second principal apportionment report to the
 18 Superintendent of ~~Public Instruction~~.

19 (b) Only those units of average daily attendance for independent
 20 study that reflect a pupil-teacher ratio that does not exceed the
 21 ratio described in subdivision (a) shall be eligible for apportionment
 22 pursuant to Section 42238.5, for school districts, and Section 2558,
 23 for county offices of education. ~~Nothing in this~~ *This* section shall
 24 *not* prevent a school district or county office of education from
 25 serving additional units of average daily attendance greater than
 26 the ratio described in subdivision (a), except that those additional
 27 units shall not be funded pursuant to Section 42238.5 or Section
 28 2558.

29 (c) The calculations performed for purposes of this section shall
 30 not include either of the following:

31 (1) The average daily attendance generated by special education
 32 pupils enrolled in special day classes on a full-time basis, or the
 33 teachers of those classes.

34 (2) The average daily attendance or teachers in necessary small
 35 schools that are eligible to receive funding pursuant to Article 4
 36 (commencing with Section 42280) of Chapter 7 of Part 24 of
 37 *Division 3*.

38 (d) The pupil-teacher ratio described in subdivision (a) in a
 39 unified school district participating in the class size reduction
 40 program pursuant to Chapter 6.10 (commencing with Section

1 52120) may, at the school district's option, be calculated separately
2 for kindergarten and grades 1 to 6, inclusive, and for grades 7 to
3 12, inclusive.

4 (e) The pupils-to-certificated-employee ratio described in
5 subdivision (a) may, in a charter school, be calculated by using a
6 fixed pupils-to-certificated-employee ratio of 25 to one, or by being
7 a ratio of less than 25 pupils per certificated employee. All charter
8 school pupils, regardless of age, shall be included in
9 pupil-to-certificated-employee ratio calculations.

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