

AMENDED IN ASSEMBLY APRIL 9, 2013  
AMENDED IN ASSEMBLY MARCH 14, 2013  
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 391**

---

---

**Introduced by Assembly Member Wieckowski**

February 15, 2013

---

---

An act to amend Sections ~~51220 and 51225.3~~ *33540 and 51833* of, and to add Section ~~51226.9~~ to, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 391, as amended, Wieckowski. Pupil instruction: personal ~~finance~~ *finances*.

(1) Existing law requires the adoption of a course of study for grades 7 to 12, inclusive, including social studies instruction providing a foundation for understanding the development of the American economic system, including the role of the entrepreneur and labor. Existing law also specifies coursework to be completed by pupils in grades 9 to 12, inclusive, in order to receive a high school diploma of graduation, including a one-semester course in economics.

This bill would enact the Common Cents Curriculum Act of 2013 and would require, ~~commencing with the 2014–15 school year, that the adopted course of study for social sciences for grades 7 to 12, inclusive, offer instruction providing a foundation for~~ *that when the history-social science framework is revised as required by law, the Instructional Quality Commission, as appropriate and based on the subject matter of the course, to encourage instruction related to the understanding of* personal ~~finance~~ *finances*, including, but not limited to, budgeting,

savings, credit and loans, identity theft, and paying for postsecondary education. The bill would require the ~~one-semester course in economics that is required for high school graduation to include personal finance, including, but not limited to, those subjects~~ *commission to identify resources and curriculum to assist educators in delivering this instruction.* To the extent that these requirements would impose new duties on local educational agencies, the bill would impose a state-mandated local program.

The bill would require, *no later than July 1, 2015, the Superintendent of Public Instruction with the approval of the State Department of Education to plan and develop and adopt a personal financial literacy curriculum, for use beginning with the 2014-15 school year, a one-semester instructional program entitled consumer economics that includes, but is not limited to among other things, budgeting, savings and checking, credit and uses and costs of loans, including student loans, identity theft and security, and planning and paying for postsecondary education.*

(2) 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.

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

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 “Common Cents Curriculum Act of 2013.”
- 3 SEC. 2. The Legislature finds and declares all of the following:
- 4 (a) California does not have an official statewide policy or
- 5 educational plan for the teaching of financial literacy and the
- 6 growing negative economic effects of financial illiteracy have
- 7 spurred the need for financial literacy education for all elementary
- 8 and secondary pupils.
- 9 (b) Americans 25 to 34, inclusive, years of age have the second
- 10 highest rate of bankruptcy, and the highest rate is Americans who
- 11 are 35 to 44, inclusive, years of age, indicating that young adults

1 today are more likely to file bankruptcy than were “baby boomers”  
2 at the same age.

3 (c) Improving financial literacy in secondary school will  
4 empower students, and their families, to act as well-informed  
5 consumers.

6 (d) Financial illiteracy and the consequences for uninformed  
7 financial decisions are a growing problem in the state, and in the  
8 long run, educating Californians would result in benefits to the  
9 economy by helping to prevent bankruptcy, foreclosure, and job  
10 loss.

11 (e) Providing access to financial literacy tools plays an important  
12 role in preventing uninformed financial decisions.

13 (f) Recent research shows that students from states where a  
14 financial education course is required are more likely to save, less  
15 likely to max out their credit cards, less likely to make late credit  
16 card payments, and more likely to take average financial risks.

17 (g) A college education is more important than ever in  
18 determining future earnings, as the annual income of an employee  
19 with a bachelor’s degree is about 80 percent higher than that of a  
20 person with a high school diploma, which translates into more than  
21 one million additional dollars over a lifetime. College graduates  
22 are also more involved in community and philanthropic affairs,  
23 are healthier, and require fewer state services than those without  
24 a degree.

25 (h) The number of undergraduate students with both credit card  
26 debt and student loan debt is increasing. In 2009, the average  
27 student credit card balance had risen to \$3,000. Additionally, in  
28 2011, undergraduate students had amassed an average of about  
29 \$27,000 of student loan debt.

30 (i) Increasing the financial literacy of all economic and ethnic  
31 groups is documented to improve attitudes, lead to improved  
32 decisionmaking, and provide for a more secure future for  
33 individuals and their families who have been educated with regard  
34 to these issues.

35 (j) Many groups are dedicated to increasing the financial literacy  
36 of Americans, and a broad range of quality personal finance  
37 instructional materials and curricula have been created for this  
38 purpose, but California’s pupils are not getting this vital  
39 information.

1 (k) At this crucial economic time, it is imperative that California  
 2 continue to be a leader by setting a high standard of financial  
 3 literacy instruction for our pupils.

4 *SEC. 3. Section 33540 of the Education Code is amended to*  
 5 *read:*

6 33540. (a) The State Board of Education and the department  
 7 shall request that the commission review and revise, as necessary,  
 8 the course requirements in the history-social science framework  
 9 developed by the History-Social Science Curriculum Framework  
 10 and Criteria Committee of the state board to ensure that minimum  
 11 standards for courses in American government and civics include  
 12 sufficient attention to teaching pupils how to interact, in a practical  
 13 manner, with state and local governmental agencies and  
 14 representatives to solve problems and to petition for changes in  
 15 laws and procedures.

16 (b) When the history-social science framework is revised as  
 17 required by law, the commission shall ~~ensure that the following~~  
 18 ~~historical documents are incorporated into the framework~~, as  
 19 appropriate *and based on the subject matter of the course, do both*  
 20 *of the following:*

21 (1) *Ensure that the following historical documents are*  
 22 *incorporated in the framework:*

- 23 ~~(1)~~
- 24 (A) The Declaration of Independence.
- 25 ~~(2)~~
- 26 (B) The United States Constitution, including the Bill of Rights.
- 27 ~~(3)~~
- 28 (C) The Federalist Papers.
- 29 ~~(4)~~
- 30 (D) The Emancipation Proclamation.
- 31 ~~(5)~~
- 32 (E) The Gettysburg Address.
- 33 ~~(6)~~
- 34 (F) George Washington’s Farewell Address.

35 (2) *Ensure that the framework encourages instruction related*  
 36 *to the understanding of personal finances, including, but not limited*  
 37 *to, budgeting, savings, credit and loans, identity theft, and paying*  
 38 *for postsecondary education and identify resources and curriculum*  
 39 *to assist educators in delivering this instruction.*

1 ~~SEC. 3.—Section 51220 of the Education Code is amended to read:~~  
2 ~~51220.—The adopted course of study for grades 7 to 12,~~  
3 ~~inclusive, shall offer courses in the following areas of study:~~

4 ~~(a) English, including knowledge of and appreciation for~~  
5 ~~literature, language, and composition, and the skills of reading,~~  
6 ~~listening, and speaking.~~

7 ~~(b) Social sciences, drawing upon the disciplines of~~  
8 ~~anthropology, economics, geography, history, political science,~~  
9 ~~psychology, and sociology, designed to fit the maturity of the~~  
10 ~~pupils. Instruction shall provide a foundation for understanding~~  
11 ~~the history, resources, development, and government of California~~  
12 ~~and the United States of America; our American legal system, the~~  
13 ~~operation of the juvenile and adult criminal justice systems, and~~  
14 ~~the rights and duties of citizens under the criminal and civil law~~  
15 ~~and the State and Federal Constitutions; the development of the~~  
16 ~~American economic system, including the role of the entrepreneur~~  
17 ~~and labor; commencing with the 2014–15 school year, personal~~  
18 ~~finance, including, but not limited to, budgeting, savings, credit~~  
19 ~~and loans, identity theft, and paying for postsecondary education;~~  
20 ~~the relations of persons to their human and natural environment;~~  
21 ~~eastern and western cultures and civilizations; human rights issues,~~  
22 ~~with particular attention to the study of the inhumanity of genocide,~~  
23 ~~slavery, and the Holocaust; and contemporary issues.~~

24 ~~(c) Foreign language or languages, beginning not later than~~  
25 ~~grade 7, designed to develop a facility for understanding, speaking,~~  
26 ~~reading, and writing the particular language.~~

27 ~~(d) Physical education, with emphasis given to physical activities~~  
28 ~~that are conducive to health and to vigor of body and mind, as~~  
29 ~~required by Section 51222.~~

30 ~~(e) Science, including the physical and biological aspects, with~~  
31 ~~emphasis on basic concepts, theories, and processes of scientific~~  
32 ~~investigation and on the place of humans in ecological systems,~~  
33 ~~and with appropriate applications of the interrelation and~~  
34 ~~interdependence of the sciences.~~

35 ~~(f) Mathematics, including instruction designed to develop~~  
36 ~~mathematical understandings, operational skills, and insight into~~  
37 ~~problem-solving procedures.~~

38 ~~(g) Visual and performing arts, including dance, music, theater,~~  
39 ~~and visual arts, with emphasis upon development of aesthetic~~  
40 ~~appreciation and the skills of creative expression.~~

1 ~~(h) Applied arts, including instruction in the areas of consumer~~  
2 ~~and homemaking education, industrial arts, general business~~  
3 ~~education, or general agriculture.~~

4 ~~(i) Career technical education designed and conducted for the~~  
5 ~~purpose of preparing youth for gainful employment in the~~  
6 ~~occupations and in the numbers that are appropriate to the~~  
7 ~~personnel needs of the state and the community served and relevant~~  
8 ~~to the career desires and needs of the pupils.~~

9 ~~(j) Automobile driver education, designed to develop a~~  
10 ~~knowledge of the provisions of the Vehicle Code and other laws~~  
11 ~~of this state relating to the operation of motor vehicles, a proper~~  
12 ~~acceptance of personal responsibility in traffic, a true appreciation~~  
13 ~~of the causes, seriousness and consequences of traffic accidents,~~  
14 ~~and to develop the knowledge and attitudes necessary for the safe~~  
15 ~~operation of motor vehicles. A course in automobile driver~~  
16 ~~education shall include education in the safe operation of~~  
17 ~~motorcycles.~~

18 ~~(k) Other studies as may be prescribed by the governing board.~~

19 ~~SEC. 4. Section 51225.3 of the Education Code, as amended~~  
20 ~~by Section 3 of Chapter 621 of the Statutes of 2011, is amended~~  
21 ~~to read:~~

22 ~~51225.3. (a) A pupil shall complete all of the following while~~  
23 ~~in grades 9 to 12, inclusive, in order to receive a diploma of~~  
24 ~~graduation from high school:~~

25 ~~(1) At least the following numbers of courses in the subjects~~  
26 ~~specified, each course having a duration of one year, unless~~  
27 ~~otherwise specified:~~

28 ~~(A) Three courses in English.~~

29 ~~(B) Two courses in mathematics.~~

30 ~~(C) Two courses in science, including biological and physical~~  
31 ~~sciences.~~

32 ~~(D) Three courses in social studies, including United States~~  
33 ~~history and geography; world history, culture, and geography; a~~  
34 ~~one-semester course in American government and civics; and a~~  
35 ~~one-semester course in economics, including, commencing with~~  
36 ~~the 2014-15 school year, personal finance, as specified in Section~~  
37 ~~51226.9.~~

38 ~~(E) One course in visual or performing arts, foreign language,~~  
39 ~~or, commencing with the 2012-13 school year, career technical~~  
40 ~~education.~~

1 (i) For purposes of satisfying the requirement specified in this  
2 subparagraph, a course in American Sign Language shall be  
3 deemed a course in foreign language.

4 (ii) For purposes of this subparagraph, “a course in career  
5 technical education” means a course in a district-operated career  
6 technical education program that is aligned to the career technical  
7 model curriculum standards and framework adopted by the state  
8 board, including courses through a regional occupational center  
9 or program operated by a county superintendent of schools or  
10 pursuant to a joint powers agreement.

11 (iii) This subparagraph does not require a school or school  
12 district that currently does not offer career technical education  
13 courses to start new career technical education programs for  
14 purposes of this section.

15 (iv) If a school district or county office of education elects to  
16 allow a career technical education course to satisfy the requirement  
17 imposed by this subparagraph, the governing board of the school  
18 district or county office of education, prior to offering that  
19 alternative to pupils, shall notify parents, teachers, pupils, and the  
20 public at a regularly scheduled meeting of the governing board of  
21 all of the following:

22 (I) The intent to offer career technical education courses to fulfill  
23 the graduation requirement specified in this subparagraph.

24 (II) The impact that offering career technical education courses,  
25 pursuant to this subparagraph, will have on the availability of  
26 courses that meet the eligibility requirements for admission to the  
27 California State University and the University of California, and  
28 whether the career technical education courses to be offered  
29 pursuant to this subparagraph are approved to satisfy those  
30 eligibility requirements. If a school district elects to allow a career  
31 technical education course to satisfy the requirement imposed by  
32 this subparagraph, the school district shall comply with subdivision  
33 (m) of Section 48980.

34 (III) The distinction, if any, between the high school graduation  
35 requirements of the school district or county office of education,  
36 and the eligibility requirements for admission to the California  
37 State University and the University of California.

38 (F) Two courses in physical education, unless the pupil has been  
39 exempted pursuant to the provisions of this code.

1 ~~(2) Other coursework requirements adopted by the governing~~  
2 ~~board of the school district.~~

3 ~~(b) The governing board, with the active involvement of parents,~~  
4 ~~administrators, teachers, and pupils, shall adopt alternative means~~  
5 ~~for pupils to complete the prescribed course of study that may~~  
6 ~~include practical demonstration of skills and competencies,~~  
7 ~~supervised work experience or other outside school experience,~~  
8 ~~career technical education classes offered in high schools, courses~~  
9 ~~offered by regional occupational centers or programs,~~  
10 ~~interdisciplinary study, independent study, and credit earned at a~~  
11 ~~postsecondary institution. Requirements for graduation and~~  
12 ~~specified alternative modes for completing the prescribed course~~  
13 ~~of study shall be made available to pupils, parents, and the public.~~

14 ~~(c) Notwithstanding any other law, a school district shall exempt~~  
15 ~~a pupil in foster care from all coursework and other requirements~~  
16 ~~adopted by the governing board of the district that are in addition~~  
17 ~~to the statewide coursework requirements specified in this section~~  
18 ~~if the pupil, while he or she is in grade 11 or 12, transfers into the~~  
19 ~~district from another school district or between high schools within~~  
20 ~~the district, unless the district makes a finding that the pupil is~~  
21 ~~reasonably able to complete the additional requirements in time~~  
22 ~~to graduate from high school while he or she remains eligible for~~  
23 ~~foster care benefits pursuant to state law. A school district shall~~  
24 ~~notify a pupil in foster care who is granted an exemption pursuant~~  
25 ~~to this subdivision, and, as appropriate, the person holding the~~  
26 ~~right to make educational decisions for the pupil, if any of the~~  
27 ~~requirements that are waived will affect the pupil's ability to gain~~  
28 ~~admission to a postsecondary educational institution and shall~~  
29 ~~provide information about transfer opportunities available through~~  
30 ~~the California Community Colleges.~~

31 ~~(d) On or before July 1, 2017, the department shall submit a~~  
32 ~~comprehensive report to the appropriate policy committees of the~~  
33 ~~Legislature on the addition of career technical education courses~~  
34 ~~to satisfy the requirement specified in subparagraph (E) of~~  
35 ~~paragraph (1) of subdivision (a), including, but not limited to, the~~  
36 ~~following information:~~

37 ~~(1) A comparison of the pupil enrollment in career technical~~  
38 ~~education courses, foreign language courses, and visual and~~  
39 ~~performing arts courses for the 2005-06 to 2011-12 school years,~~  
40 ~~inclusive, to the pupil enrollment in career technical education~~

1 courses, foreign language courses, and visual and performing arts  
2 courses for the 2012–13 to 2016–17 school years, inclusive.

3 (2) The reasons, reported by school districts, that pupils give  
4 for choosing to enroll in a career technical education course to  
5 satisfy the requirement specified in subparagraph (E) of paragraph  
6 (1) of subdivision (a).

7 (3) The type and number of career technical education courses  
8 that were conducted for the 2005–06 to 2011–12 school years,  
9 inclusive, compared to the type and number of career technical  
10 education courses that were conducted for the 2012–13 to 2016–17  
11 school years, inclusive.

12 (4) The number of career technical education courses that  
13 satisfied the subject matter requirements for admission to the  
14 University of California or the California State University.

15 (5) The extent to which the career technical education courses  
16 chosen by pupils are aligned with the California Career Technical  
17 Education Standards, and prepare pupils for employment, advanced  
18 training, and postsecondary education.

19 (6) The number of career technical education courses that also  
20 satisfy the visual and performing arts requirement, and the number  
21 of career technical education courses that also satisfy the foreign  
22 language requirement.

23 (7) Annual pupil dropout and graduation rates for the 2011–12  
24 to 2014–15 school years, inclusive.

25 (e) For purposes of completing the report described in  
26 subdivision (d), the Superintendent may use existing state resources  
27 and federal funds. If state or federal funds are not available or  
28 sufficient, the Superintendent may apply for and accept grants,  
29 and receive donations and other financial support from public or  
30 private sources for purposes of this section.

31 (f) For purposes of completing the report described in  
32 subdivision (d), the Superintendent may accept support, including,  
33 but not limited to, financial and technical support, from high school  
34 reform advocates, teachers, chamber organizations, industry  
35 representatives, research centers, parents, and pupils.

36 (g) This section shall become inoperative on the earlier of the  
37 following two dates:

38 (1) On July 1, immediately following the first fiscal year after  
39 the enactment of the act that adds this paragraph in which the  
40 number of career technical education courses that, as determined

1 by the department, satisfy the foreign language requirement for  
2 admission to the California State University and the University of  
3 California is at least twice the number of career technical education  
4 courses that meet these admission requirements as of January 1,  
5 2012. This section shall be repealed on the following January 1,  
6 unless a later enacted statute, that becomes operative on or before  
7 that date, deletes or extends the dates on which it becomes  
8 inoperative and is repealed. It is the intent of the Legislature that  
9 new career technical education courses that satisfy the foreign  
10 language requirement for admission to the California State  
11 University and the University of California focus on world  
12 languages aligned with career preparation, emphasizing real-world  
13 application and technical content in related career and technical  
14 education courses.

15 (2) On July 1, 2017, and, as of January 1, 2018, is repealed,  
16 unless a later enacted statute, that becomes operative on or before  
17 January 1, 2018, deletes or extends the dates on which it becomes  
18 inoperative and is repealed.

19 SEC. 5. Section 51225.3 of the Education Code, as added by  
20 Section 4 of Chapter 621 of the Statutes of 2011, is amended to  
21 read:

22 51225.3. (a) A pupil shall complete all of the following while  
23 in grades 9 to 12, inclusive, in order to receive a diploma of  
24 graduation from high school:

25 (1) At least the following numbers of courses in the subjects  
26 specified, each course having a duration of one year, unless  
27 otherwise specified:

28 (A) Three courses in English.

29 (B) Two courses in mathematics.

30 (C) Two courses in science, including biological and physical  
31 sciences.

32 (D) Three courses in social studies, including United States  
33 history and geography; world history, culture, and geography; a  
34 one-semester course in American government and civics; and a  
35 one-semester course in economics, including, commencing with  
36 the 2014–15 school year, personal finance, as specified in Section  
37 51226.9.

38 (E) One course in visual or performing arts or foreign language.  
39 For purposes of satisfying the requirement specified in this

1 ~~subparagraph, a course in American Sign Language shall be~~  
2 ~~deemed a course in foreign language.~~

3 ~~(F) Two courses in physical education, unless the pupil has been~~  
4 ~~exempted pursuant to the provisions of this code.~~

5 ~~(2) Other coursework requirements adopted by the governing~~  
6 ~~board of the school district.~~

7 ~~(b) The governing board, with the active involvement of parents,~~  
8 ~~administrators, teachers, and pupils, shall adopt alternative means~~  
9 ~~for pupils to complete the prescribed course of study that may~~  
10 ~~include practical demonstration of skills and competencies,~~  
11 ~~supervised work experience or other outside school experience,~~  
12 ~~career technical education classes offered in high schools, courses~~  
13 ~~offered by regional occupational centers or programs,~~  
14 ~~interdisciplinary study, independent study, and credit earned at a~~  
15 ~~postsecondary institution. Requirements for graduation and~~  
16 ~~specified alternative modes for completing the prescribed course~~  
17 ~~of study shall be made available to pupils, parents, and the public.~~

18 ~~(e) Notwithstanding any other law, a school district shall exempt~~  
19 ~~a pupil in foster care from all coursework and other requirements~~  
20 ~~adopted by the governing board of the district that are in addition~~  
21 ~~to the statewide coursework requirements specified in this section~~  
22 ~~if the pupil, while he or she is in grade 11 or 12, transfers into the~~  
23 ~~district from another school district or between high schools within~~  
24 ~~the district, unless the district makes a finding that the pupil is~~  
25 ~~reasonably able to complete the additional requirements in time~~  
26 ~~to graduate from high school while he or she remains eligible for~~  
27 ~~foster care benefits pursuant to state law. A school district shall~~  
28 ~~notify a pupil in foster care who is granted an exemption pursuant~~  
29 ~~to this subdivision, and, as appropriate, the person holding the~~  
30 ~~right to make educational decisions for the pupil, if any of the~~  
31 ~~requirements that are waived will affect the pupil's ability to gain~~  
32 ~~admission to a postsecondary educational institution and shall~~  
33 ~~provide information about transfer opportunities available through~~  
34 ~~the California Community Colleges.~~

35 ~~(d) If a pupil completed a career technical education course that~~  
36 ~~met the requirements of subparagraph (E) of paragraph (1) of~~  
37 ~~subdivision (a) of Section 51225.3, as amended by the act adding~~  
38 ~~this section, prior to the inoperative date of that section, that course~~  
39 ~~shall be deemed to fulfill the requirements of subparagraph (E) of~~  
40 ~~paragraph (1) of subdivision (a) of this section.~~

1 ~~(e) This section shall become operative upon the date that~~  
 2 ~~Section 51225.3, as amended by the act adding this section,~~  
 3 ~~becomes inoperative.~~

4 SEC. 6. ~~Section 51226.9 is added to the Education Code, to~~  
 5 ~~read:~~

6 ~~51226.9. (a) The department shall develop and adopt a personal~~  
 7 ~~financial literacy curriculum for purposes of the social studies~~  
 8 ~~curriculum framework required by subdivision (b) of Section~~  
 9 ~~51220, for use beginning with the 2014-15 school year, that~~  
 10 ~~includes, but is not limited to, budgeting, savings, credit and loans,~~  
 11 ~~identity theft, and paying for postsecondary education.~~

12 ~~(b) The course in economics required pursuant to subparagraph~~  
 13 ~~(D) of paragraph (1) of subdivision (a) of Section 51225.3 shall~~  
 14 ~~include instruction related to the understanding of personal~~  
 15 ~~finances, as specified in the curriculum adopted pursuant to~~  
 16 ~~subdivision (a).~~

17 SEC. 4. *Section 51833 of the Education Code is amended to*  
 18 *read:*

19 51833. (a) The Superintendent of Public Instruction shall, with  
 20 the approval of the State Board of Education, plan and develop a  
 21 one-semester instructional program entitled consumer economics  
 22 for use in schools maintaining any of grades 7 to 12, inclusive.  
 23 When completed, the program shall be made available to all school  
 24 districts and schools with grades 7 to 12, inclusive.

25 (b) The instructional program shall include, but not be limited  
 26 to, the following elements:

27 (1) Fundamentals of banking for personal use, *including, but*  
 28 *not limited to, budgeting, savings, and checking.*

29 (2) Elementary contracts.

30 (3) Consumer guides to purchasing.

31 (4) Uses and costs of credit.

32 (5) *Uses and costs of loans, including student loans.*

33 ~~(5)~~

34 (6) Types and costs of insurance.

35 ~~(6)~~

36 (7) Forms of governmental taxation.

37 (8) *Identity theft and security.*

38 (9) *Planning and paying for postsecondary education.*

39 (c) *The Superintendent of Public Instruction shall make this*  
 40 *curriculum available no later than July 1, 2015.*

1     ~~SEC. 7.~~

2     *SEC. 5.* If the Commission on State Mandates determines that  
3 this act contains costs mandated by the state, reimbursement to  
4 local agencies and school districts for those costs shall be made  
5 pursuant to Part 7 (commencing with Section 17500) of Division  
6 4 of Title 2 of the Government Code.

O