

AMENDED IN ASSEMBLY MARCH 14, 2013

CALIFORNIA LEGISLATURE—2013—14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 570**

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**Introduced by Assembly Member Jones-Sawyer**

February 20, 2013

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An act to amend Section 46170 of, and to add Section 48432.3 to, the Education Code, relating to ~~school attendance~~ *continuation schools*.

LEGISLATIVE COUNSEL'S DIGEST

AB 570, as amended, Jones-Sawyer. Continuation schools: minutes of attendance: *voluntary placement*.

*(1) Existing law establishes continuation schools to provide opportunities for pupils to complete the required academic courses of instruction to graduate from high school, to provide a program of instruction that emphasizes occupational orientation or a work-study schedule and offers intensive guidance services to meet the special needs of pupils, and to provide a program designed to meet the educational needs of each pupil, as specified. Existing law requires the governing board of each high school or unified school district that assigns pupils to continuation schools to adopt rules and regulations governing procedures for the involuntary transfer of pupils to continuation schools.*

Existing law requires the governing board of each school district to fix the length of the schoolday for the several grades and classes of the schools maintained by the district, subject to the provisions as prescribed. Under existing law, in continuation high schools and continuation education classes, a day of attendance is 180 minutes of attendance, but no pupil is credited with more than 15 hours of

attendance per school week, proportionately reduced for those school weeks having weekday holidays on which classes are not held.

This bill would change the requirement of 180 minutes to 240 minutes for a day of attendance *at a continuation high school or a continuation education class*. ~~Because this bill creates new duties for local educational agencies, this bill would impose a state-mandated local program.~~

*This bill would require the governing boards of school districts that operate high schools to establish and adopt policies and procedures governing the identification, placement, and intake procedures for pupils who voluntarily enroll in continuation schools, based on a finding that the voluntary placement of the pupil will promote his or her educational interests. The bill would require these policies and procedures to be provided to pupils whose voluntary transfer to a continuation school is under consideration, and to the parents or legal guardians of those pupils. The bill would require that copies of these policies and procedures be made readily available to all pupils, and to all parents or legal guardians of pupils, at schoolsites and on the school's or school district's Internet Web site. The bill would require the State Department of Education to develop model standards for guiding school districts with respect to implementing the policies and procedures adopted under this bill. Because this bill establishes new duties for school districts, it would impose a state-mandated local program.*

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(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. Section 46170 of the Education Code is amended
- 2 to read:
- 3 46170. In continuation high schools and continuation education
- 4 classes, a day of attendance is 240 minutes of attendance, but no

1 pupil shall be credited with more than 15 hours of attendance per  
2 school week, proportionately reduced for those school weeks  
3 having weekday holidays on which classes are not held.

4 *SEC. 2. Section 48432.3 is added to the Education Code, to*  
5 *read:*

6 *48432.3. (a) The governing board of a school district that*  
7 *operates at least one high school shall establish and adopt policies*  
8 *and procedures governing the identification, placement, and intake*  
9 *procedures for pupils who voluntarily enroll in continuation*  
10 *schools. These policies and procedures shall ensure that there is*  
11 *a clear criterion for determining which pupils may voluntarily*  
12 *transfer or be recommended for a transfer to a continuation school*  
13 *and that this criterion is not applied arbitrarily, but is consistently*  
14 *applied on a districtwide basis. Approval for the voluntary transfer*  
15 *of a pupil to a continuation school shall be based on a finding that*  
16 *the voluntary placement will promote the educational interests of*  
17 *the pupil.*

18 *(b) The policies and procedures adopted under this section shall*  
19 *ensure both of the following:*

20 *(1) That no specific group of pupils, including a group based*  
21 *on race, ethnicity, language status, or special needs, is*  
22 *disproportionately enrolled in continuation schools within the*  
23 *school district.*

24 *(2) That voluntary placement in a continuation school will not*  
25 *be used as an alternative to expulsion unless alternative means of*  
26 *addressing a pupil's behavior have been considered and*  
27 *documented.*

28 *(c) A copy of the policies and procedures adopted under this*  
29 *section shall be provided to a pupil whose voluntary transfer to a*  
30 *continuation school is under consideration, and to the parents or*  
31 *legal guardians of that pupil. Copies of these policies and*  
32 *procedures shall also be made readily available to all pupils, and*  
33 *to all parents or legal guardians of pupils, at schoolsites and on*  
34 *the school's or school district's Internet Web site.*

35 *(d) The department shall develop model standards for guiding*  
36 *school districts with respect to implementing the policies and*  
37 *procedures they adopt under this section to govern the*  
38 *identification, placement, and intake procedures for pupils who*  
39 *voluntarily enroll in continuation schools.*

1     ~~SEC. 2.~~

2     *SEC. 3.* 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.

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