

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1146

Introduced by Assembly Member Morrell

February 22, 2013

An act to amend Section ~~47610~~ 48800 of the Education Code, relating to ~~charter schools~~ *pupils*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1146, as amended, Morrell. ~~Charter schools.~~ *Pupils: concurrent enrollment in secondary school and community college.*

The Charter Schools Act of 1992 ~~permits teachers and parents to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning. Existing law exempts charter schools from the laws governing school districts except those of the Charter Schools Act, those establishing minimum age for public school attendance, specified building code regulations, and other specified laws.~~

Existing law authorizes the principal of a school to recommend a pupil for community college summer session if the pupil meets certain criteria and requires, for any particular grade level, the principal to not recommend for community college summer session more than 5% of the total number of pupils who completed that grade immediately before the time of recommendation.

This bill would ~~make technical, nonsubstantive changes to these provisions:~~ *increase the limit on the total number of pupils for any particular grade level who may be recommended for community college summer session to 10%.*

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 48800 of the Education Code is amended
2 to read:
3 48800. (a) The governing board of a school district may
4 determine which pupils would benefit from advanced scholastic
5 or vocational work. The intent of this section is to provide
6 educational enrichment opportunities for a limited number of
7 eligible pupils, rather than to reduce current course requirements
8 of elementary and secondary schools, and also to help ensure a
9 smoother transition from high school to college for pupils by
10 providing them with greater exposure to the collegiate atmosphere.
11 The governing board of the school district may authorize those
12 pupils, upon recommendation of the principal of the pupil’s school
13 of attendance, and with parental consent, to attend a community
14 college during any session or term as special part-time or full-time
15 students and to undertake one or more courses of instruction offered
16 at the community college level.
17 (b) If the governing board of the school district denies a request
18 for a special part-time or full-time enrollment at a community
19 college for any session or term for a pupil who is identified as
20 highly gifted, the governing board of the school district shall issue
21 its written recommendation and the reasons for the denial within
22 60 days. The written recommendation and denial shall be issued
23 at the next regularly scheduled board meeting that falls at least 30
24 days after the request has been submitted.
25 (c) A pupil shall receive credit for community college courses
26 that he or she completes at the level determined appropriate by the
27 governing boards of the school district and community college
28 district.
29 (d) (1) The principal of a school may recommend a pupil for
30 community college summer session only if that pupil meets all of
31 the following criteria:
32 (A) Demonstrates adequate preparation in the discipline to be
33 studied.
34 (B) Exhausts all opportunities to enroll in an equivalent course,
35 if any, at his or her school of attendance.

1 (2) For any particular grade level, a principal shall not
2 recommend for community college summer session attendance
3 more than ~~5~~ 10 percent of the total number of pupils who completed
4 that grade immediately ~~prior to~~ *before* the time of recommendation.

5 (3) A high school pupil recommended by his or her principal
6 for enrollment in a course shall not be included in the ~~5-percent~~
7 *10-percent* limitation of pupils allowed to be recommended
8 pursuant to paragraph (2) if the course in which the pupil is enrolled
9 meets one of the criterion listed in subparagraphs (A) to (C),
10 inclusive, and the high school principal who recommends the pupil
11 for enrollment provides the Chancellor of the California
12 Community Colleges, upon the request of ~~that~~ *the chancellor's*
13 office, with the data required for purposes of paragraph (4).

14 (A) The course is a lower division, college-level course for
15 credit that is designated as part of the Intersegmental General
16 Education Transfer Curriculum or applies toward the general
17 education breadth requirements of the California State University.

18 (B) The course is a college-level, occupational course for credit
19 assigned a priority code of "A," "B," or "C," pursuant to the
20 Student Accountability Model, as defined by the Chancellor of the
21 California Community Colleges and reported in the management
22 information system, and the course is part of a sequence of
23 vocational or career technical education courses leading to a degree
24 or certificate in the subject area covered by the sequence.

25 (C) The course is necessary to assist a pupil who has not passed
26 the California High School Exit Examination (CAHSEE), does
27 not offer college credit in English language arts or mathematics,
28 and the pupil meets both of the following requirements:

29 (i) The pupil is in his or her senior year of high school.

30 (ii) The pupil has completed all other graduation requirements
31 ~~prior to~~ *before* the end of his or her senior year, or will complete
32 all remaining graduation requirements during a community college
33 summer session, which he or she is recommended to enroll in,
34 following his or her senior year of high school.

35 (4) On or before March 1 of each year, the Chancellor of the
36 California Community Colleges shall report to the Department of
37 Finance the number of pupils recommended pursuant to paragraph
38 (3) who enroll in community college summer session courses and
39 who receive a passing grade. The information in this report may

1 be submitted with the report required by subdivision (c) of Section
2 76002.

3 (5) The Board of Governors of the California Community
4 Colleges shall not include enrollment growth attributable to
5 paragraph (3) as part of its annual budget request for the California
6 Community Colleges.

7 (6) Notwithstanding Article 3 (commencing with Section 33050)
8 of Chapter 1 of Part 20 of Division 2 of Title 2, compliance with
9 this subdivision shall not be waived.

10 (e) Paragraphs (3), (4), and (5) of subdivision (d) shall become
11 inoperative on January 1, 2014.

12 ~~SECTION 1. Section 47610 of the Education Code is amended~~
13 ~~to read:~~

14 ~~47610. A charter school shall comply with this part and all of~~
15 ~~the provisions set forth in its charter, but is otherwise exempt from~~
16 ~~the laws governing school districts, except for all of the following:~~

17 ~~(a) As specified in Section 47611.~~

18 ~~(b) As specified in Section 41365.~~

19 ~~(c) All laws establishing minimum age for public school~~
20 ~~attendance.~~

21 ~~(d) The California Building Standards Code (Part 2~~
22 ~~(commencing with Section 101) of Title 24 of the California Code~~
23 ~~of Regulations), as adopted and enforced by the local building~~
24 ~~enforcement agency with jurisdiction over the area in which the~~
25 ~~charter school is located.~~

26 ~~(e) Charter school facilities shall comply with subdivision (d)~~
27 ~~by January 1, 2007.~~