

AMENDED IN SENATE AUGUST 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 526**

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**Introduced by Assembly Member Holden**

February 23, 2015

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An act to amend Section ~~267 of the Penal Code, relating to abduction.~~ 48800 of the Education Code, relating to pupil instruction, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 526, as amended, Holden. ~~Abduction.~~ *Pupils: attendance at community college.*

*Existing law authorizes the governing board of a school district to authorize a pupil who meets specified criteria to attend community college. Existing law limits the number of pupils a principal is authorized to recommend for community college summer session pursuant to those provisions to 5% of the total number of pupils in any grade level, as specified.*

*This bill, until January 1, 2020, would exempt from the 5% limitation pupils who meet specified requirements and who enroll in certain community college courses. The bill would require the Chancellor of the California Community Colleges to annually report to the Department of Finance the number of pupils who enrolled and received a passing grade in a community college summer session course.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law provides that any person who takes away another person under 18 years of age from the father, mother, guardian, or other person having legal charge of the other person, without their consent, for the~~

~~purpose of prostitution, is punishable by imprisonment in the state prison and a fine not exceeding \$2,000.~~

~~This bill would increase the punishment to include a fine not exceeding \$5,000.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: ~~no~~<sup>yes</sup>. 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 a 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 a 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 shall issue its written  
21 recommendation and the reasons for the denial within 60 days.  
22 The written recommendation and denial shall be issued at the next  
23 regularly scheduled board meeting that falls at least 30 days after  
24 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:

1 (A) Demonstrates adequate preparation in the discipline to be  
2 studied.

3 (B) Exhausts all opportunities to enroll in an equivalent course,  
4 if any, at his or her school of attendance.

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

9 (3) A high school pupil recommended by his or her principal  
10 for enrollment in a course shall not be included in the 5-percent  
11 limitation of pupils allowed to be recommended pursuant to  
12 paragraph (2) if the course in which the pupil is enrolled *is part*  
13 *of a College and Career Access Pathways (CCAP) program*  
14 *established pursuant to Section 76004 in which a majority of the*  
15 *pupils served are unduplicated pupils, as defined in Section*  
16 *42238.02, the course meets one of the ~~criterion~~ criteria listed in*  
17 *subparagraphs (A) to (C), inclusive, and the high school principal*  
18 *who recommends the pupil for enrollment provides the Chancellor*  
19 *of the California Community Colleges, upon the request of that*  
20 *office, with the data required for purposes of paragraph (4).*

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

25 (B) The course is a college-level, occupational course for credit  
26 assigned a priority code of “A,” “B,” or “C,” pursuant to the  
27 Student Accountability Model, as defined by the Chancellor of the  
28 California Community Colleges and reported in the management  
29 information system, and the course is part of a sequence of  
30 vocational or career technical education courses leading to a degree  
31 or certificate in the subject area covered by the sequence.

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

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

37 (ii) The pupil has completed all other graduation requirements  
38 ~~prior to~~ *before* the end of his or her senior year, or will complete  
39 all remaining graduation requirements during a community college

1 summer session, which he or she is recommended to enroll in,  
2 following his or her senior year of high school.

3 (4) On or before March 1 of each year, the Chancellor of the  
4 California Community Colleges shall report to the Department of  
5 Finance the number of pupils recommended pursuant to paragraph  
6 (3) who enroll in community college summer session courses and  
7 who receive a passing grade. The information in this report may  
8 be submitted with the report required by subdivision (c) of Section  
9 76002.

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

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

17 (e) Paragraphs (3), (4), and (5) of subdivision (d) shall become  
18 inoperative on January 1, ~~2014~~. 2020.

19 *SEC. 2. This act is an urgency statute necessary for the*  
20 *immediate preservation of the public peace, health, or safety within*  
21 *the meaning of Article IV of the Constitution and shall go into*  
22 *immediate effect. The facts constituting the necessity are:*

23 *In order to ensure rigorous scholastic and vocational work*  
24 *opportunities are available to pupils at the earliest possible time*  
25 *and that ongoing programs are not interrupted, it is necessary*  
26 *that this act take effect immediately.*

27 ~~SECTION 1. Section 267 of the Penal Code is amended to~~  
28 ~~read:~~

29 ~~267. Any person who takes away any other person under 18~~  
30 ~~years of age from the father, mother, guardian, or other person~~  
31 ~~having the legal charge of the other person, without their consent,~~  
32 ~~for the purpose of prostitution, is punishable by imprisonment in~~  
33 ~~the state prison, and a fine not exceeding five thousand dollars~~  
34 ~~(\$5,000).~~