

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 949

Introduced by Assembly Member Gonzalez
(Principal coauthor: Senator Lara)

February 26, 2015

~~An act to amend Section 68130.5 of the Education Code, relating to public postsecondary education.~~ *An act to add Sections 33353.7 and 51220.7 to the Education Code, relating to physical education.*

LEGISLATIVE COUNSEL'S DIGEST

AB 949, as amended, Gonzalez. ~~Public postsecondary education: exemption from nonresident tuition.~~ *Physical education: cheerleading.*

(1) Existing law describes the California Interscholastic Federation, provides the intent of the Legislature regarding its policies, and requires it to report to the Legislature and the Governor on its evaluation and accountability activities on or before January 1, 2016.

This bill would provide that it is the intent of the Legislature that, no later than January 1, 2017, the California Interscholastic Federation, in consultation with the State Department of Education, develop guidelines, procedures, and safety standards for the purpose of classifying cheerleading as an interscholastic sport.

(2) Existing law requires the adopted course of study for grades 7 to 12, inclusive, to offer courses in specified areas of study, including physical education.

This bill would require the department to authorize a school district to allow a pupil to satisfy the physical education course of study for grades 7 to 12, inclusive, by participating in cheerleading.

Existing law exempts a student, other than a nonimmigrant alien, as defined, from paying nonresident tuition at the California State University and the California Community Colleges if the student meets certain requirements. Existing law authorizes a community college district to report a student who is exempt from nonresident tuition as a full-time equivalent student for apportionment purposes.

This bill would make a nonsubstantive change to this provision.

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

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

1 SECTION 1. Section 33353.7 is added to the Education Code,
2 to read:

3 33353.7. It is the intent of the Legislature that, no later than
4 January 1, 2017, the California Interscholastic Federation, in
5 consultation with the department, develop guidelines, procedures,
6 and safety standards for the purpose of classifying cheerleading
7 as an interscholastic sport.

8 SEC. 2. Section 51220.7 is added to the Education Code, to
9 read:

10 51220.7. Notwithstanding any other law, the department shall
11 authorize a school district to allow a pupil to satisfy the physical
12 education course of study for grades 7 to 12, inclusive, required
13 pursuant to Section 51220, by participating in cheerleading.

14 SECTION 1. ~~Section 68130.5 of the Education Code is~~
15 ~~amended to read:~~

16 ~~68130.5. Notwithstanding any other law:~~

17 ~~(a) A student, other than a nonimmigrant alien within the~~
18 ~~meaning of paragraph (15) of subsection (a) of Section 1101 of~~
19 ~~Title 8 of the United States Code, who meets all of the following~~
20 ~~requirements shall be exempt from paying nonresident tuition at~~
21 ~~the California State University and the California Community~~
22 ~~Colleges:~~

23 ~~(1) Satisfaction of either of the following:~~

24 ~~(A) High school attendance in California for three or more years.~~

25 ~~(B) Attainment of credits earned in California from a California~~
26 ~~high school equivalent to three or more years of full-time high~~
27 ~~school coursework and a total of three or more years of attendance~~

1 in California elementary schools, California secondary schools,
2 or a combination of those schools:

3 (2) Graduation from a California high school or attainment of
4 the equivalent thereof.

5 (3) Registration as an entering student at, or current enrollment
6 at, an accredited institution of higher education in California not
7 earlier than the fall semester or quarter of the 2001-02 academic
8 year.

9 (4) In the case of a person without lawful immigration status,
10 the filing of an affidavit with the institution of higher education
11 stating that the student has filed an application to legalize his or
12 her immigration status, or will file an application as soon as he or
13 she is eligible to do so.

14 (b) A student who is exempt from nonresident tuition under this
15 section may be reported by a community college district as a
16 full-time equivalent student for apportionment purposes.

17 (e) The Board of Governors of the California Community
18 Colleges and the Trustees of the California State University shall
19 prescribe rules and regulations for the implementation of this
20 section.

21 (d) Student information obtained in the implementation of this
22 section is confidential.