

Introduced by Senator Huff

(Principal coauthors: Assembly Members Chang and Olsen)

(Coauthor: Assembly Member Medina)

February 19, 2016

An act to amend Sections 48301, 48302, 48307, 48308, 48312, 48313, and 48314 of, to add Section 48309.5 to, and to repeal Sections 48315 and 48316 of, the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1432, as introduced, Huff. School attendance: pupil transfer options: school districts of choice.

(1) Existing law requires each person between the ages of 6 and 18 years, who is not otherwise exempt, to attend the public full-time day school in the school district in which his or her parent or guardian is a resident. Existing law authorizes the governing board of a school district to accept pupils from other school districts by adopting a resolution to become a school district of choice, as defined, and authorizes the governing board of a school district of choice to ensure, by resolution, that pupils accepted for transfer are selected through a random, unbiased process that prohibits an evaluation of whether or not the pupil should be enrolled based upon his or her academic or athletic performance. Existing law authorizes either a pupil's school district of residence or a school district of choice to prohibit the transfer of a pupil into a school district of choice or limit the number of pupils transferred into a school district of choice if the governing board of the school district determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the school district or the racial and ethnic balance of the school district. Existing law requires a school district of choice, at its expense, to ensure that the auditor who conducts the annual

financial audit of the school district reviews compliance with the requirements for a random, unbiased selection process and appropriate communications at the same time that he or she is conducting the annual audit, and requires the school district to notify the auditor regarding this compliance review prior to the commencement of the annual audit.

This bill would require, instead of authorize, the governing board of the school district of choice to ensure, by resolution, that pupils accepted for transfer are selected through a random, unbiased process that prohibits an evaluation of whether or not the pupil should be enrolled based upon his or her academic or athletic performance. The bill would authorize only a pupil's school district of residence to prohibit the transfer of a pupil into a school district of choice or limit the number of pupils transferred into a school district of choice if the governing board of the school district of residence determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the school district of residence or the racial and ethnic balance of the school district of residence. The bill would revise the provisions relating to the audit. The bill would also authorize the parent of a pupil who is denied a transfer to appeal that decision to the county superintendent of schools of the county in which the school district issuing the denial is located, as provided. The bill would also authorize a school district of choice to bring a complaint against a school district of residence and a school district of residence to bring a complaint against a school district of choice to a county superintendent of schools, as provided. The bill would require the county superintendent of schools to rely only on certain provisions of existing law and determine only whether they were applied accurately. To the extent this would impose additional duties on county superintendents of schools, the bill would impose a state-mandated local program.

(2) Existing law authorizes a school district of residence, as defined, to limit the number of pupils who transfer out each year by a certain percentage, and also authorizes a school district with an average daily attendance of less than 50,000 to limit the maximum number of pupils transferring out for the duration of the program to 10% of the average daily attendance for that period. Existing law authorizes a school district of residence to limit transfers if it has a negative or qualified status on the most recent budget certification, or to limit the number of pupils to a number identified by the county superintendent of schools, as specified, if the county superintendent determines that the school district will not meet the standards and criteria for fiscal stability for the

subsequent fiscal year due to the impact of additional pupil transfers in that fiscal year.

This bill would delete the authorization of a school district with an average daily attendance of less than 50,000 to limit the maximum number of pupils transferring out for the duration of the program to 10% of the average daily attendance for that period. The bill would also establish procedures, as provided, by which school districts of residence may implement the other limits.

(3) Existing law authorizes a school district of choice to notify a school district of residence when the school district of choice accepts a pupil from that school district of residence.

This bill would instead require a school district of choice to notify a school district of residence when the school district of choice accepts or provisionally accepts a pupil from that school district of residence, as specified.

(4) Existing law authorizes school districts to make information regarding their schools, programs, policies, and procedures available to any interested person upon request.

This bill would instead require school districts to make information regarding their schools, programs, policies, and procedures available to any interested person upon request and would require a school district of choice to also make public announcements regarding its schools, programs, policies, and procedures during the enrollment period. To the extent this would impose additional duties on school districts, the bill would impose a state-mandated local program.

(5) Existing law requires the Legislative Analyst annually to make specified information regarding districts of choice transfers available to the Governor and the appropriate fiscal and policy committees of the Legislature.

This bill would instead assign those duties to the Superintendent of Public Instruction.

(6) Existing law requires the Legislative Analyst to conduct, after consulting with appropriate legislative staff, a comprehensive evaluation of the district of choice program, make recommendations regarding the extension of the program, incorporate in that evaluation the data annually made available by the Department of Finance, and complete and submit the evaluation and the recommendations to the appropriate education policy committees of the Legislature and the Governor by January 31, 2016.

This bill would delete those requirements.

(7) Existing law makes the provisions governing districts of choice inoperative on July 1, 2017, and repeals them on January 1, 2018.

This bill would delete those provisions, thereby extending the school district of choice program indefinitely.

(8) This bill would make other related changes, make clarifying changes, recast certain provisions of existing law, and make other nonsubstantive changes.

(9) 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 48301 of the Education Code is amended
2 to read:
3 48301. (a) (1) The governing board of any school district may
4 ~~accept interdistrict transfers. A school district that receives an~~
5 ~~application for attendance under this article is not required to admit~~
6 ~~pupils to its schools. If, however, elect to operate the school district~~
7 ~~as a school district of choice and may accept transfers from school~~
8 ~~districts of residence pursuant to this article. If the governing board~~
9 ~~of a school district elects to accept transfers as authorized under~~
10 ~~this article, it may, shall, by resolution, elect to accept transfer~~
11 ~~pupils, determine and adopt the number of transfers it is willing~~
12 ~~to accept under this article, article and ensure that pupils admitted~~
13 ~~under the policy this article are selected through a random,~~
14 ~~unbiased process that prohibits an evaluation of whether or not the~~
15 ~~a pupil should be enrolled based upon his or her academic or~~
16 ~~athletic performance. Any pupil accepted for transfer shall be~~
17 ~~deemed to have fulfilled the requirements of Section 48204. If~~
18 (2) If the number of transfer applications exceeds the number
19 of transfers the governing board of a school district of choice elects
20 to accept under this article, approval for transfer pursuant to this
21 article shall be determined by a random drawing held in public at

1 a regularly scheduled meeting of the governing board of the school
2 district: *district of choice*.

3 ~~(b) Either the pupil's school district of residence, upon~~
4 ~~notification of the pupil's acceptance to the school district of choice~~
5 ~~pursuant to subdivision (c) of Section 48308, or the school district~~
6 ~~of choice may prohibit the transfer of a pupil under this article or~~
7 ~~limit the number of pupils so transferred if the governing board of~~
8 ~~the school district determines that the transfer would negatively~~
9 ~~impact any of the following:~~

10 ~~(1) The court-ordered desegregation plan of the school district.~~

11 ~~(2) The voluntary desegregation plan of the school district.~~

12 ~~(3) The racial and ethnic balance of the school district.~~

13 ~~(c) The school district of residence may not adopt policies that~~
14 ~~in any way block or discourage pupils from applying for transfer~~
15 ~~to another school district.~~

16 ~~(d)~~

17 ~~(b) Communications to parents or guardians by school districts~~
18 ~~electing to enroll pupils under the of choice options provided by~~
19 ~~this article shall be factually accurate and not target individual~~
20 ~~parents or guardians or parents, residential neighborhoods~~
21 ~~neighborhoods, or any other specific ascertainable cohort on the~~
22 ~~basis of a child's pupil or pupils' actual or perceived academic or~~
23 ~~athletic performance skill or any other personal characteristic.~~

24 ~~(c) A school district of choice, at its expense, shall ensure that~~
25 ~~the auditor who conducts the annual audit pursuant to Section~~
26 ~~41020, at the same time that he or she is conducting that annual~~
27 ~~audit, reviews compliance with the provisions in this section~~
28 ~~regarding a random, unbiased selection process and appropriate~~
29 ~~communications. The compliance review specified in this~~
30 ~~subdivision is not subject to the requirements in subdivision (d)~~
31 ~~of Section 41020. The school district of choice shall notify the~~
32 ~~auditor regarding this compliance review specified in this~~
33 ~~subdivision before the commencement of the annual audit. The~~
34 ~~governing board of the school district of choice shall include a~~
35 ~~summary of audit exceptions, if any, resulting from the compliance~~
36 ~~review conducted pursuant to this subdivision in the report it~~
37 ~~provides pursuant to subdivision (b) of Section 48313.~~

38 ~~(f) A school district of residence shall not prohibit the transfer~~
39 ~~of a pupil who is a child of an active military duty parent to a~~

1 ~~school in any school district, if the school district to which the~~
2 ~~parent of the pupil applies approves the application for transfer.~~

3 *(c) A school district of choice, with respect to compliance with*
4 *subdivisions (a) and (b), shall be subject to the audit conducted*
5 *pursuant to Section 41020.*

6 *(d) A school district of choice shall post application information*
7 *on its Internet Web site. This information shall include, at a*
8 *minimum, any applicable form and timeline for a transfer pursuant*
9 *to this article. It also shall include an explanation of the selection*
10 *process the school district of choice implements pursuant to*
11 *subdivision (a).*

12 *(e) A pupil attending a school in a school district of choice shall*
13 *be deemed to have fulfilled the requirements of Section 48204.*

14 SEC. 2. Section 48302 of the Education Code is amended to
15 read:

16 48302. School districts are encouraged to hold informational
17 ~~hearings~~ *meetings and make public announcements* on the current
18 ~~educational-program programs~~ *the school district is offering* so
19 that parents may provide input to the *school* district on methods
20 to improve the current ~~program programs~~ and so that parents may
21 make informed decisions regarding their children's education.

22 SEC. 3. Section 48307 of the Education Code is amended to
23 read:

24 48307. (a) ~~A~~ *Once a* school district of residence with an
25 average daily attendance greater than 50,000 ~~may limit the number~~
26 ~~of pupils transferring out each year to 1 percent of its current year~~
27 ~~estimated average daily attendance.~~ *has received notification from*
28 *a school district of choice that a number of pupils that the school*
29 *district of residence calculates to be equal to 1 percent of its*
30 *current year estimated average daily attendance have been*
31 *accepted into that school district of choice for the following school*
32 *year, the school district of residence may, by resolution in a public*
33 *meeting of the governing board of the school district of residence,*
34 *restrict any further pupils from transferring under this article to*
35 *that school district of choice for the upcoming school year.*

36 (b) ~~A~~ *Once a* school district of residence with an average daily
37 attendance of ~~less than 50,000 may limit the number of pupils~~
38 ~~transferring out to 3 percent of its current year estimated average~~
39 ~~daily attendance and may limit the maximum number of pupils~~
40 ~~transferring out for the duration of the program authorized by this~~

1 ~~article to 10 percent of the average daily attendance for that period.~~
2 *or less has been notified from a school district of choice that a*
3 *number of pupils that the school district of residence calculates*
4 *to be equal to 3 percent of its current year estimated average daily*
5 *attendance have been accepted into that school district of choice*
6 *for the following school year; the school district of residence may,*
7 *by resolution in a public meeting of the governing board of the*
8 *school district of residence, restrict any further pupils from*
9 *transferring under this article to that school district of choice for*
10 *the upcoming school year.*

11 (c) A school district of residence that has a negative status on
12 the most recent budget certification completed by the county
13 superintendent of schools in any fiscal year may limit the number
14 of pupils who transfer out of the district in that fiscal ~~year.~~ year
15 *and once the school district of residence has received notification*
16 *from a school district of choice or school districts of choice that*
17 *the number of pupils that the school district of residence calculates*
18 *to be equal to that limit have been accepted into that school district*
19 *of choice or those school districts of choice, may, by resolution in*
20 *a public meeting of the governing board of the school district of*
21 *residence, restrict any further pupils from transferring under this*
22 *article for the upcoming school year.*

23 (d) Notwithstanding any prior or existing certification of a
24 school district of residence pursuant to Article 3 (commencing
25 with Section 42130) of Chapter 6 of Part 24, ~~only if the a county~~
26 ~~superintendent of schools determines that the a school district of~~
27 ~~residence would not meet the standards and criteria for fiscal~~
28 ~~stability specified in Section 42131 for the subsequent fiscal year~~
29 ~~exclusively due to the impact of additional pupil transfers pursuant~~
30 ~~to this article in that year, article, the school district of residence~~
31 ~~may limit the number of additional pupils who transfer pursuant~~
32 ~~to this article in the upcoming school year pursuant to this article~~
33 ~~up to the number that the county superintendent of schools~~
34 ~~identifies beyond which number of additional transfers would~~
35 ~~result in a qualified or negative certification in that the subsequent~~
36 ~~fiscal year exclusively as a result of additional transfers pursuant~~
37 ~~to this article. article. Once the school district of residence has~~
38 ~~received notification from a school district of choice or school~~
39 ~~districts of choice that the number of pupils that the school district~~
40 ~~of residence calculates to be equal to that limit have been accepted~~

1 *into that school district of choice or those school districts of choice,*
2 *a school district of residence may, by resolution in a public meeting*
3 *of the governing board of the school district of residence, restrict*
4 *any further pupils from transferring under this article for the*
5 *upcoming school year.*

6 ~~(e) If a school district of residence limits the number of pupils~~
7 ~~who transfer out of the district pursuant to subdivision (c) or (d);~~
8 ~~pupils who have already been enrolled or notified of eligibility for~~
9 ~~enrollment, including through the random, public selection process~~
10 ~~prior to the action by the district to limit transfers shall be permitted~~
11 ~~to attend the school district of choice.~~

12 *(e) A school district of residence, upon receiving notification*
13 *of a pupil's acceptance into the school district of choice, may*
14 *prohibit the transfer of a pupil under this article or limit the*
15 *number of pupils so transferred if the governing board of the school*
16 *district of residence determines that the transfer would negatively*
17 *impact any of the following:*

18 *(1) The court-ordered desegregation plan of the school district*
19 *of residence.*

20 *(2) The voluntary desegregation plan of the school district of*
21 *residence.*

22 *(3) The racial and ethnic balance of the school district of*
23 *residence.*

24 *(f) Notwithstanding any other provision of this article, a school*
25 *district of residence shall not prohibit the transfer of a pupil who*
26 *is a child of an active military duty parent.*

27 *(g) A school district of residence shall not adopt policies that*
28 *in any way block or discourage pupils from applying for transfer*
29 *to a school district of choice.*

30 ~~(f)~~

31 *(h) Notwithstanding any other provision of this article, a pupil*
32 *attending a school district of choice or a pupil who received a*
33 *notice of eligibility to enroll acceptance into in a school district*
34 *of choice, including a pupil selected by means of a random*
35 *selection process conducted on or before June 30, 2009, pursuant*
36 *to this article, as it read on June 30, 2009, choice before the*
37 *resolution by the school district of residence to restrict further*
38 *transfers shall be permitted to attend the school district of choice.*

39 SEC. 4. Section 48308 of the Education Code is amended to
40 read:

48308. (a) (1) An application requesting a transfer pursuant to this article shall be submitted by the parent ~~or guardian~~ of a pupil to the school district of choice ~~that has elected to accept transfer pupils pursuant to Section 48301~~ prior to *before* January 1 of the school year preceding the school year for which the pupil is requesting to be transferred. This application deadline may be waived upon agreement of the school district of residence of the pupil and the school district of choice.

(2) The application deadline specified in paragraph (1) does not apply to an application requesting a transfer if the parent ~~or guardian~~ of the pupil, with whom the pupil resides, is enlisted in the military and was relocated by the military ~~within~~ *less than* 90 days ~~prior to~~ *before* submitting the application.

(b) The application may be submitted on a form provided for this purpose by the department and may request enrollment of the pupil in a specific school or program of the school ~~district~~. *district of choice*.

(c) (1) ~~Not later than 90 days after the receipt by a school district of an application for transfer,~~ *No later than February 15 of the school year preceding the school year for which the pupil is requesting to be transferred,* the governing board of the school district ~~may of choice~~ shall notify the parent ~~or guardian~~ in writing whether the application has been provisionally accepted or rejected or of the placement of the pupil on a waiting list. Final acceptance or rejection shall be made by May 15 preceding the school year for which the pupil is requesting to be transferred.

(2) *If the application is rejected, the governing board of the school district of choice shall include in the written notification to the parent the specific reason or reasons for that determination, and shall ensure that the determination, and the specific reason or reasons for the determination, are accurately recorded in the minutes of the board meeting in which the determination was made.*

(3) *If a pupil is accepted or provisionally accepted into a school district of choice, the school district of choice shall notify the school district of residence of the pupil no later than March 1 of the school year preceding the school year for which the pupil is requesting to be transferred.*

~~(2)~~

(4) (A) Notwithstanding paragraph (1), the governing board of a school district *of choice* shall, not later than 90 days after receipt

1 of an application submitted according to paragraph (2) of
2 subdivision (a), make a final acceptance or rejection of that
3 application. A pupil may enroll in a school in the school district
4 *of choice* immediately upon his or her acceptance.

5 (B) If an application submitted according to paragraph (2) of
6 subdivision (a) is submitted less than 90 days ~~prior to~~ *before* the
7 beginning of the school year for which the pupil seeks to be
8 transferred, the governing board of the school district *of choice*
9 shall accept or deny the application ~~prior to~~ *before* the
10 commencement of the school year. A pupil may enroll in a school
11 in the school district *of choice* immediately upon his or her
12 acceptance.

13 ~~(3) If the application is accepted, the notice required by this~~
14 ~~subdivision may be provided to the school district of residence. If~~
15 ~~the application is rejected, the district governing board may set~~
16 ~~forth in the written notification to the parent or guardian the~~
17 ~~specific reason or reasons for that determination, and may ensure~~
18 ~~that the determination, and the specific reason or reasons therefor,~~
19 ~~are accurately recorded in the minutes of a regularly scheduled~~
20 ~~board meeting in which the determination was made.~~

21 (d) Final acceptance of the transfer is applicable for one school
22 year and will be renewed automatically each year unless the school
23 district of choice through the adoption of a resolution ~~withdraws~~
24 ~~from participation in the program and elects to no longer will~~
25 ~~accept any transfer pupils from other districts.~~ *pursuant to this*
26 *article.* However, if a school district of choice ~~withdraws from~~
27 ~~participation in the program,~~ *elects to no longer accept pupils*
28 *under this article,* high school pupils admitted under this article
29 *may continue to attend the same school in the school district of*
30 *choice* until they graduate from high school.

31 SEC. 5. Section 48309.5 is added to the Education Code, to
32 read:

33 48309.5. (a) The parent of a pupil who is denied a transfer
34 pursuant to this article may appeal that decision to the county
35 superintendent of schools of the county in which the school district
36 issuing the denial is located. The county superintendent of schools
37 shall rely only on the provisions of this article and determine only
38 whether they were applied accurately.

39 (b) A school district of choice may bring a complaint alleging
40 a violation of a this article by a school district of residence to the

1 county superintendent of schools of the county in which the school
2 district of residence is located. The county superintendent of
3 schools shall rely only on the provisions of this article and
4 determine only whether they were applied accurately.

5 (c) A school district of residence may bring a complaint alleging
6 a violation of this article by a school district of choice to the county
7 superintendent of schools of the county in which the school district
8 of choice is located. The county superintendent of schools shall
9 rely only on the provisions of this article and determine only
10 whether they were applied accurately.

11 (d) Nothing in this section shall be interpreted to limit or restrict
12 any entity from seeking a judicial remedy for a violation of this
13 article.

14 SEC. 6. Section 48312 of the Education Code is amended to
15 read:

16 48312. Each school district ~~may~~ *shall* make information
17 regarding its schools, programs, policies, and procedures available
18 to any interested person upon request. *A school district of choice*
19 *shall also make public announcements regarding its schools,*
20 *programs, policies, and procedures during the enrollment period.*

21 SEC. 7. Section 48313 of the Education Code is amended to
22 read:

23 48313. (a) Pursuant to this article, each school district ~~electing~~
24 ~~to accept transfer pupils of choice~~ shall keep an accounting of all
25 requests made for ~~alternative attendance transfers pursuant to this~~
26 *article* and records of all disposition of those requests that shall
27 include, but are not limited to, all of the following:

28 (1) The number of requests granted, denied, or withdrawn. In
29 the case of denied requests, the records shall indicate the reasons
30 for the denials.

31 (2) The number of pupils transferred out of the *school* district
32 *of choice* pursuant to this article.

33 (3) The number of pupils transferred into the *school* district *of*
34 *choice* pursuant to this article.

35 (4) The race, ethnicity, gender, self-reported socioeconomic
36 status, and the school district of residence of each of the pupils
37 described in paragraphs (2) and (3).

38 (5) The number of pupils described in paragraphs (2) and (3)
39 who are classified as English learners or identified as individuals
40 with exceptional needs, as defined in Section 56026.

(b) The information maintained pursuant to subdivision (a) shall be reported to the governing board of the school district *of choice* at a regularly scheduled meeting of the governing ~~board~~: *board of the school district of choice*. No later than May 15th of each year, the school district *of choice* shall report the information maintained pursuant to subdivision (a) *for the current school year* in addition to information regarding the district's status as a school district of choice ~~in for~~ the upcoming school year to each school district that is geographically adjacent to the *school* district ~~electing to accept transfer pupils~~, *of choice*, the county office of education in which the *school* district *of choice* is located, ~~and the Superintendent, and the Department of Finance. The Department of Finance shall make the information reported to it pursuant to this subdivision available upon request to the Legislative Analyst. Superintendent in a manner consistent with subdivision (d).~~

(c) ~~The Legislative Analyst annually shall make all of the following information available to the Governor and the appropriate fiscal and policy committees of the Legislature:~~

(1) ~~The number and characteristics of pupils who use the school district of choice option pursuant to this article.~~

(2) ~~The Academic Performance Index scores of schools in school districts of residence and school districts of choice.~~

(3) ~~The graduation rates of school districts of residence and school districts of choice.~~

(4) ~~The enrollment of school districts of residence and school districts of choice for the previous five years.~~

(5) ~~The fiscal health of school districts of residence and school districts of choice, including, but not limited to, both of the following:~~

(A) ~~Increasing or declining enrollment.~~

(B) ~~Whether a school district received a negative or qualified rating pursuant to Section 42131.~~

(6) ~~Whether a school district has exceeded the transfer limits specified in Section 48307.~~

(7) ~~Other information the Legislative Analyst deems appropriate.~~

(d) ~~As necessary and practicable, the Legislative Analyst shall survey school districts of residence and school districts of choice to gather the information described in subdivision (c).~~

(e) *The Superintendent shall do all of the following:*

1 (1) *Maintain and periodically update a list of the school districts*
2 *of choice in the state. The Superintendent shall take reasonable*
3 *steps to verify the accuracy of the list.*

4 (2) *Collect the information specified in subdivision (a) from*
5 *each school district of choice. The Superintendent shall ensure*
6 *school districts of choice provide this information in a complete*
7 *and consistent format. The Superintendent may provide a template*
8 *for school districts of choice to use and may issue guidance*
9 *regarding the procedures for collecting and reporting data.*

10 (3) *Post the information collected under paragraphs (1) and*
11 *(2) on the Internet Web site of the department. The information*
12 *shall be accompanied by explanation of the transfers authorized*
13 *by this article. The Superintendent shall make this information*
14 *available by request to any school district.*

15 (4) *Post a single list of all school choice programs, including,*
16 *but not limited to, school districts of choice, on the Internet Web*
17 *site of the department.*

18 (d) (1) *The Superintendent may require information specified*
19 *in subdivision (a) to be provided through the California*
20 *Longitudinal Pupil Achievement Data System, another data*
21 *collection system administered by the department, or another*
22 *manner authorized by the Superintendent. It is the intent of the*
23 *Legislature that the Superintendent collect data in the manner that*
24 *minimizes the administrative burden for school districts and the*
25 *state.*

26 (2) *No later than July 1, 2017, the Superintendent shall report*
27 *to the education policy committees of the Legislature, the*
28 *Department of Finance, and the Legislative Analyst's Office with*
29 *a description of the plan for collecting the data specified in*
30 *subdivision (a).*

31 (e) *The Superintendent annually shall make all of the following*
32 *information available to the Governor and the appropriate fiscal*
33 *and policy committees of the Legislature:*

34 (1) *The number and characteristics of pupils who use the school*
35 *district of choice option pursuant to this article.*

36 (2) *Assessment scores of school districts of choice and school*
37 *districts of residence pursuant to subdivision (b) of Section 60640.*

38 (3) *The graduation rates of school districts of residence and*
39 *school districts of choice.*

1 (4) *The enrollment of school districts of residence and school*
2 *districts of choice for the previous five years.*

3 (5) *The fiscal health of school districts of residence and school*
4 *districts of choice, including, but not limited to, both of the*
5 *following:*

6 (A) *Increasing or declining enrollment.*

7 (B) *Whether a school district received a negative or qualified*
8 *rating pursuant to Section 42131.*

9 (6) *Whether a school district of residence has exceeded the*
10 *transfer limits specified in Section 48307.*

11 (7) *Other information the Superintendent deems appropriate.*

12 SEC. 8. Section 48314 of the Education Code is amended to
13 read:

14 48314. It is the intent of the Legislature that every parent in
15 this state be informed of their opportunity for currently existing
16 *school district of choice* options under this article regardless of
17 ethnicity, primary language, ~~or literacy~~; *literacy, or special needs.*

18 SEC. 9. Section 48315 of the Education Code is repealed.

19 ~~48315. This article shall become inoperative on July 1, 2017,~~
20 ~~and, as of January 1, 2018, is repealed, unless a later enacted~~
21 ~~statute, which becomes effective on or before January 1, 2018,~~
22 ~~deletes or extends the dates on which it becomes inoperative and~~
23 ~~is repealed.~~

24 SEC. 10. Section 48316 of the Education Code is repealed.

25 ~~48316. The Legislative Analyst shall conduct, after consulting~~
26 ~~with appropriate legislative staff, a comprehensive evaluation of~~
27 ~~the interdistrict transfer program established pursuant to this article~~
28 ~~and prepare recommendations regarding the extension of the~~
29 ~~program. The evaluation shall incorporate the data described in~~
30 ~~Section 48313 and shall be completed and submitted, along with~~
31 ~~the recommendations regarding extension, to the appropriate~~
32 ~~education policy committees of the Legislature and to the Governor~~
33 ~~by January 31, 2016.~~

34 SEC. 11. If the Commission on State Mandates determines
35 that this act contains costs mandated by the state, reimbursement
36 to local agencies and school districts for those costs shall be made
37 pursuant to Part 7 (commencing with Section 17500) of Division
38 4 of Title 2 of the Government Code.

O