

Assembly Bill No. 532

CHAPTER 519

An act to amend Section 37672 of the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 4, 1995. Filed
with Secretary of State October 4, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 532, Aguiar. School funding: year-round scheduling.

(1) Under existing law, state school funding apportionments to school districts are calculated, in part, according to the average daily attendance in each district, which is based upon the number of days in which classes are taught in the district.

Existing law provides that for the 1993–94 fiscal year as specified, and the 1994–95 fiscal year, if a pupil transfers to another school within the district, the pupil's average daily attendance shall be calculated independently for each school in which the pupil was enrolled. Existing law specifies that these provisions apply to school districts having an average daily attendance of 100,001 or more pupils that have installed an individual tracking system, as specified. Moreover, existing law provides that in no event shall any transferring pupil generate more than 0.98 unit of average daily attendance for the district in any one school year under these provisions for the 1993–94 fiscal year, as specified, and the 1994–95 fiscal year. Existing law also provides that an enrolled pupil may not generate more than one unit of average daily attendance for the district per school year under those circumstances.

This bill would, for the purposes of computing average daily attendance in each school district, permit a school district to exclude from the calculation of the number of days taught, the number of days taught in any school year in late entry makeup classes, as defined, in programs of year-round scheduling, as to any pupil who entered the program of year-round scheduling after September 1 of that school year, if the track in which the pupil is enrolled began instruction in July or August of that school year.

(2) This bill would also declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 37672 of the Education Code is amended to read:

37672. (a) No pupil participating in programs as described in Section 37670 shall be credited with more than one day of attendance in any calendar day, except as permitted in Section 46140.

Average daily attendance generated in the regular elementary, junior high, and high schools operated under Section 37670 shall be calculated as prescribed in subdivision (a) of Section 41601.

(b) Notwithstanding Section 37640, subdivision (a) of Section 41601, and any other provision of law, the number of days taught in one or more late entry makeup classes in which a pupil in a program of year-round scheduling is enrolled shall be disregarded, at the option of a school district, in calculating the number of days taught in the calculation of average daily attendance of that district for any school year, if the pupil entered the program of year-round scheduling after September 1 of that school year and the track in which the pupil is enrolled began instruction in July or August of that school year. For purposes of this subdivision, "late entry makeup class" is a class in which a pupil in a program of year-round scheduling is enrolled in order to compensate for the pupil's late enrollment in that program. The number of days taught that are disregarded under this subdivision shall not exceed the number of schooldays occurring in the school year prior to September 1 in the track in which the pupil is enrolled, reduced by the number of schooldays, if any, occurring in a program operating under the traditional school calendar in which the pupil was enrolled in that school district in the same school year prior to the date upon which the pupil is first enrolled in the program of year-round scheduling.

(c) This subdivision shall only apply to school districts with an average daily attendance of 100,001 or more pupils that have installed an individual pupil tracking system and maintain schools on both the traditional calendar and on year-round calendars. For the 1993-94 and 1994-95 fiscal years, if a pupil transfers to another school within the district, other than a transfer initiated by the district, the pupil's average daily attendance shall be calculated independently for each school in which the pupil was enrolled. For the 1993-94 fiscal year as recertified at the time of the first principal apportionment in February of 1995 and for the 1994-95 fiscal year, in no event may any transferring pupil generate more than 0.98 unit of average daily attendance for the district in any one school year under this subdivision. In no event shall this subdivision be construed to authorize any nontransferring pupil to generate more than one unit of average daily attendance for any school year.

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



In order to allow school districts the option specified in subdivision (b) of Section 37672 of the Education Code during the 1994-95 fiscal year, it is necessary that this act take effect immediately.

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