

AMENDED IN SENATE MAY 15, 2007

AMENDED IN SENATE MAY 2, 2007

AMENDED IN SENATE APRIL 10, 2007

**SENATE BILL**

**No. 405**

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**Introduced by Senator Steinberg**  
(*Coauthor: Assembly Member Nunez*)

February 21, 2007

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An act to amend Sections 1240, ~~49067~~, 51224, 51228, 52052, 52336, 52378, 52380, and 66204 of, to add and repeal Chapter 18 (commencing with Section 53100) of Part 28 of Division 4 of Title 2 of, and to repeal Section 52336.1 of, the Education Code, relating to school curriculum.

LEGISLATIVE COUNSEL'S DIGEST

SB 405, as amended, Steinberg. Schools: curriculum: opportunities for pupils.

(1) Existing law requires a school district maintaining any of grades 7 to 12, inclusive, to offer to all otherwise qualified pupils in those grades a course of study fulfilling the requirements and prerequisites for admission to the California public institutions of postsecondary education and to provide a timely opportunity to each of those pupils to enroll within a 4-year period in each course necessary to fulfill those requirements and prerequisites prior to graduation from high school. Each school district maintaining any of grades 7 to 12, inclusive, also is required to offer to all otherwise qualified pupils in those grades a course of study that provides an opportunity for those pupils to attain entry-level employment skills in business or industry upon graduation from high school, and is encouraged to provide all pupils with a rigorous academic curriculum that integrates academic and career skills,

incorporates applied learning in all disciplines, and prepares all pupils for high school graduation and career entry.

This bill would establish, until January 1, 2014, the ~~Fair Competition for College and Career Pilot Opportunity Program~~, to be administered by the Superintendent of Public Instruction. The Superintendent would be required to invite ~~comprehensive~~ high schools, based on specified criteria, to apply for the program and to select up to 100 schools for participation in the program. Schools participating in the program would receive grants of \$100 per pupil to be used to ~~increase the course offerings of the school and provide support for the pupils related to career technical education and courses satisfying the admission requirements for California public institutions of postsecondary education~~ *provide academic assistance and services to pupils necessary to prepare them for the rigors of college preparatory and career technical education courses; increase access of pupils to, and success of pupils in, those courses; and inform pupils of the benefits of, and requirements for, enrollment in those courses. The Superintendent would be required to contract for an independent evaluation of the effectiveness of the program and to report the findings to the Governor and the Legislature on or before August 1, 2010.*

(2) Existing law requires a county superintendent of schools to undertake specified duties regarding the oversight of the school districts within his or her jurisdiction.

This bill would require a county superintendent of schools to perform additional duties related to the ~~monitoring review~~ of, and specified reporting on, ~~schools related to~~ the access of pupils in grades 7 to 12, inclusive, *at schools ranked in any of deciles 1 to 3, inclusive of the Academic Performance Index (API)* to the courses that are requirements for admission to the University of California and the California State University, ~~in part, by annually reviewing a school ranked in deciles 1 to 3, inclusive, of the specified base Academic Performance Index (API);~~ and offering specified assistance to a school when he or she determines, *pursuant to the required review of that school*, that the school has failed to make the college prerequisite courses available.

(3) ~~Existing law requires the governing board of a school district to prescribe regulations requiring the evaluation of the achievement of a pupil for each marking period and requiring a conference with, or a written report to, the parent of a pupil whenever it becomes evident to the teacher that the pupil is in danger of failing a course.~~

~~This bill would require these regulations to also require a conference or written report if a pupil is at risk of not meeting the curricular requirements for admission to the University of California and the California State University.~~

~~(4)~~

(3) Existing law requires the governing board of a school district maintaining a high school to prescribe separate college preparatory and career technical education courses of study. Each school district maintaining any of grades 7 to 12, inclusive, is required to offer to all otherwise qualified pupils those courses of study. A pupil who has successfully completed his or her education, through grade 10, with written parental consent, may choose to follow either course of study.

The bill would require the governing board of a school district to prescribe courses of study that include study for college admission preparation and career technical education, rather than requiring 2 separate courses of study to be prescribed. Specific ways in which a school district may, but is not required to, satisfy the requirement to offer a college preparatory course of study would be added. The provision authorizing a pupil who has completed grade 10 to choose between a separate college preparatory course of study and a separate career technical education course of study would be repealed.

~~(5)~~

(4) Under existing law, the API is established to measure the performance of schools and the academic performance of pupils.

This bill would require the API to include additional indicators related to the rates at which pupils who enrolled in (A) a course required for admission to the California public institutions of postsecondary education, or (B) a career technical education course that meets the content standards adopted by the State Board of Education, completed the course and earned a grade of C or better. ~~The API also would be required to include the percentage of pupils in each graduating class who completed the curricular requirements for admission to the University of California and the California State University.~~

~~(6)~~

(5) Existing law authorizes a business, trade or professional association, union, or state or local governmental agency operating within the state to establish and operate, through the local school district, a career preparatory program within the state pursuant to specified requirements, including that the entity operating the program develop

and implement for all enrolled pupils a course of instruction that satisfies the curricular requirements for graduation from high school.

The bill, instead, would require that the course of instruction be one that ~~satisfies the curricular requirements for admission to the University of California and the California State University~~ *is aligned with the career technical education curriculum framework adopted by the State Board of Education.*

(7)

(6) Under existing law, the Middle and High School Supplemental Counseling Program is established to provide additional counseling services to pupils in grades 7 to 12, inclusive. As a condition of receiving funds, the governing board of each school district maintaining any of grades 7 to 12, inclusive, is required to hold a public meeting to adopt the program, which is required to include specified provisions. A school district also is required to submit an annual report related to the program requirements and pupil achievement to the Superintendent.

This bill would expand the program requirements to include provisions for individualized review of the career goals of the pupil and academic and career-related opportunities available to the pupil and for explanation of the coursework and academic progress required for eligibility for admission to a four-year college. School districts, as a condition of the program, also would be required to *hold a conference with, or provide a written report to, the parent or legal guardian of a pupil whenever it becomes evident to a counselor that the pupil is in danger of failing a course or at risk of not meeting the curricular requirements for admission to the University of California and the California State University.* A school district participating in the program also would be required to perform additional duties related to identifying and monitoring pupils who are not on track to satisfy the curricular requirements for admission to the University of California or the California State University and to mandate each school perform additional duties related to that subject. The annual report, rather than including the number of pupils who participated in the required conferences and passed the high school exit examination, would include the number of pupils who did both of those items and also satisfied the requirements for admission to the University of California and the California State University.

(8)

(7) Existing law requires the Superintendent to assist school districts to ensure that all public high school pupils have access to a core

curriculum that meets the requirements for admission to the University of California and the California State University.

This bill would require the Superintendent to submit to the state board an annual report, if funds are appropriated for this purpose, regarding compliance of school districts in which middle and high schools are ranked in deciles 1 to 3, inclusive, of the 2003 base Academic Performance Index, with the requirements that all otherwise qualified pupils have access to courses of college preparatory and career technical education courses of study.

(9)

(8) To the extent that additional duties would be required of local educational agencies or officials, the bill would impose a state-mandated local program.

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. ~~(a) The Legislature hereby finds and declares~~  
2 ~~all of the following:~~

3 ~~(1) The goal of public education for kindergarten and grades 1~~  
4 ~~to 12, inclusive, is to prepare pupils for productive civic~~  
5 ~~participation, including sustaining employment, bettering their~~  
6 ~~communities, and meeting their personal and family needs.~~

7 ~~(2) In California today, too many public school pupils are denied~~  
8 ~~future opportunities because their schools do not offer them~~  
9 ~~rigorous, relevant coursework with teachers trained in, and~~  
10 ~~supported to succeed at, imparting the subjects they teach that~~  
11 ~~prepares the pupils for the full range of postsecondary educational~~  
12 ~~options, including two- and four-year college programs and~~  
13 ~~entering the workforce.~~

14 ~~(3) In addition to higher wages and salaries, data shows that~~  
15 ~~increased levels of educational attainment and academic~~

1 achievement improve the future abilities of pupils to earn a good  
2 living and sustain a career in other ways. They correlate strongly  
3 with improved worker productivity; less unemployment; greater  
4 benefits; the ability to learn new skills and workplace operations  
5 more rapidly; exposure to, and engagement with, computers; and  
6 a better ability to negotiate the labor market.

7 (4) California public high school graduates, in the aggregate,  
8 are unprepared to meet the demands either of the workforce or of  
9 college entrance. Changes in the labor market suggest that nearly  
10 all of the rapidly growing, well paying jobs and occupations require  
11 postsecondary or continuing education. Moreover, the average  
12 worker in the United States will change his or her occupation four  
13 to six times during his or her lifetime. Therefore, schools must  
14 provide pupils with a broad range of academic and technical skills  
15 that require higher order thinking to ensure their long-term success  
16 in the workplace.

17 (5) According to the Career Technical Education Initiative of  
18 Governor Schwarzenegger, many high-tech industries, such as  
19 biotechnology, computer manufacturing, and health care, complain  
20 about a shortage of skilled employees in the workforce. That  
21 shortage persists despite the 42 percent of high school pupils who  
22 enroll in career technical education (CTE) courses beyond the  
23 introductory level.

24 (6) According to State Department of Education data, 55 percent  
25 of California public high schools—serving approximately 900,000  
26 pupils—do not provide a sufficiently rigorous curriculum for pupils  
27 to complete the courses that are minimally required for admission  
28 eligibility to the California State University and the University of  
29 California. In more than one-quarter of the public high schools of  
30 California, more than 20 percent of college preparatory courses  
31 are taught by teachers who are not trained in the subject matter  
32 they teach.

33 (7) Although most California communities feel the effect of the  
34 educational crisis of the state, all communities do not suffer  
35 equally. According to a recent study entitled “Removing the  
36 Roadblocks: Fair College Opportunities For All California  
37 Students,” published by the University of California All-Campus  
38 Consortium for Research Diversity and the UCLA Institute for  
39 Democracy, Education and Access, schools with high  
40 concentrations of low-income pupils, pupils of color, and English

1 language learners report the highest shortages of college  
2 preparatory courses in the state and are more likely to offer college  
3 preparatory courses taught by teachers who are not properly  
4 qualified to teach in the course subject matter. Seventy percent of  
5 schools the enrollment of which is 90 to 100 percent African  
6 American and Latino pupils do not offer enough college  
7 preparatory courses for all pupils to be able to take the courses.  
8 These high schools are almost three times as likely as schools  
9 enrolling a majority of caucasian pupils to misassign significant  
10 percentages of teachers teaching college preparatory courses.

11 (8) According to a March 2006 poll conducted on behalf of the  
12 James Irvine Foundation by Peter D. Hart Research Associates,  
13 Inc., 89 percent of the grade 9 and 10 pupils in California believe  
14 that a school where they could take courses that they need for  
15 college, but also have more opportunity to acquire skills and  
16 knowledge relevant to future careers, would be more interesting  
17 to them. In addition, 91 percent of those pupils say they would be  
18 more motivated to work hard and do well if they attended that kind  
19 of school. California can and should provide that type of schooling  
20 to its pupils. Yet, according to State Department of Education data,  
21 in the 2005–06 school year, only 16.5 percent of the total number  
22 of CTE courses taught in California public high schools met the  
23 minimum eligibility requirements for admission to the California  
24 State University and the University of California.

25 (9) As the Superintendent of Public Instruction explained in a  
26 March 2004 editorial published in the Sacramento Bee, “The job  
27 of K–12 education in California must be to ensure that all our  
28 students graduate with the ability to fulfill their potential—whether  
29 that takes them to higher education or directly to their career.  
30 Unfortunately ... too many of our students are not adequately  
31 prepared for either. By raising our expectations for our students,  
32 we can and will begin to change that.”

33 (b) It is the intent of the Legislature to enact legislation to  
34 accomplish all of the following:

35 (1) Close the opportunity gap for the public school pupils of  
36 California, assuring that immediately and over time pupils have  
37 full, meaningful opportunities to realize their dreams for their  
38 futures, in the workforce as well as in higher education; and  
39 encourage the high schools of California to offer pupils multiple

1 pathways to lasting success in both their future education and their  
2 careers.

3 ~~(2) Provide incentives and sanctions to ensure that every high~~  
4 ~~school offers a sufficient number of college preparatory courses~~  
5 ~~to enable every pupil to satisfy college eligibility requirements, in~~  
6 ~~sequence, at their own school, with adequate counseling to ensure~~  
7 ~~pupils are advised of the sequence requirements, including before~~  
8 ~~their grade 9 course schedules are determined.~~

9 ~~(3) Increase opportunities for the high school pupils of California~~  
10 ~~to participate in comprehensive, multiyear programs that integrate~~  
11 ~~college preparatory academics and technical study, organized~~  
12 ~~around a major industry or career focus, that prepares them for~~  
13 ~~further, postsecondary education and a career.~~

14 ~~(4) Promote development of curricula including both academic~~  
15 ~~and CTE courses that integrates the academic and CTE content~~  
16 ~~standards of the state to produce clusters and sequences of courses~~  
17 ~~that engage more high school pupils and, through industry related~~  
18 ~~applications, help them understand the necessity of mastering~~  
19 ~~higher levels of academic and technical knowledge.~~

20 ~~(5) Set a standard according to which CTE coursework is~~  
21 ~~sufficiently rigorous to allow meaningful entry into the workforce~~  
22 ~~and, at the same time, allowing every pupil an opportunity to satisfy~~  
23 ~~the minimum coursework requirements, in sequence and in the~~  
24 ~~school of each pupil, for admission eligibility to the California~~  
25 ~~State University and the University of California.~~

26 ~~(6) Modify the Middle and High School Supplemental~~  
27 ~~Counseling Program (Article 4.5 (commencing with Section 52378)~~  
28 ~~of Chapter 9 of Part 28 of the Education Code) to ensure that~~  
29 ~~districts participating in the two hundred million dollar~~  
30 ~~(\$200,000,000) program provide counselors who advise pupils~~  
31 ~~regarding course taking options that integrate career preparation~~  
32 ~~with college eligibility requirements.~~

33 ~~(7) Ensure the provision of appropriately trained teachers for~~  
34 ~~all coursework, including career technical and college eligibility~~  
35 ~~coursework, and build the capacity of CTE teachers to reinforce~~  
36 ~~and supplement academic knowledge and skills related to their~~  
37 ~~industry and the capacity of academic teachers to connect their~~  
38 ~~particular discipline to industry related applications and problems.~~

39 ~~(8) Build the capacity of school districts and schools in the state~~  
40 ~~to achieve the standards for course rigor and offerings, including,~~

1 but not limited to, shifting school schedules to more flexible  
2 schedules that allow for greater course taking options and utilizing  
3 new and existing professional development programs.

4 (9) Provide for external oversight, including public  
5 accountability and school- and pupil-level data, to ensure that  
6 school districts offer rigorous coursework sufficient for workforce  
7 entrance and four-year college eligibility.

8 (10) Shore up existing data systems to fully provide an  
9 integrated, transparent data system that allows parents and legal  
10 guardians, the community, and policymakers to access useful  
11 information about the provision by schools of courses that prepare  
12 pupils for both career and college, as well as the success of schools  
13 in increasing rates of high school completion and the transition of  
14 pupils to postsecondary education and work.

15 (11) Provide incentives, and no disincentives, for school districts  
16 to come into greater compliance with the standards of providing  
17 counselors who advise pupils regarding course taking options that  
18 integrate career preparation with college eligibility requirements,  
19 as the districts build capacity to do so.

20 (12) Build academic relevance by increasing the number of CTE  
21 courses that satisfy requirements for classes that prospective  
22 California State University and University of California pupils are  
23 required to complete while in high school, and by encouraging  
24 more attention to authentic, industry-related applications of the  
25 academic knowledge and skills taught in college preparatory  
26 academic subjects that pupils are required to complete for high  
27 school graduation and to be eligible for admission to the California  
28 State University and the University of California.

29 (13) Codify the intent of the framework for educational offerings  
30 in CTE adopted by the State Board of Education in January 2007.  
31 This framework expressly acknowledges that:

32 —  
33 “[T]he building blocks for CTE are, in part, the academic  
34 knowledge gained in core courses such as English and  
35 mathematics, and success in CTE is dependent on students’  
36 increasing skills and knowledge in multiple arenas within the  
37 academic core. For example, veterinary medical courses are  
38 of little use without a detailed understanding of biology;  
39 accounting courses are founded on mathematical knowledge;  
40 and the family and human services pathway professions all

1 ~~require high-level communication skills initially fostered in~~  
 2 ~~English-language arts courses. It is essential that CTE courses~~  
 3 ~~integrate, support, and reinforce core academics to ensure that~~  
 4 ~~students have these skills for the CTE foundation.”~~

5 —  
 6 *SECTION 1. This act shall be known, and may be cited, as the*  
 7 *College and Career Opportunity Act.*

8 SEC. 2. Section 1240 of the Education Code is amended to  
 9 read:

10 1240. The county superintendent of schools shall do all of the  
 11 following:

- 12 (a) Superintend the schools of his or her county.
- 13 (b) Maintain responsibility for the fiscal oversight of each school  
 14 district in his or her county pursuant to the authority granted by  
 15 this code.
- 16 (c) (1) Visit and examine each school in his or her county at  
 17 reasonable intervals to observe its operation and to learn of its  
 18 problems. He or she may annually present a report of the state of  
 19 the schools in his or her county, and of his or her office, including,  
 20 but not limited to, his or her observations while visiting the schools,  
 21 to the board of education and the board of supervisors of his or  
 22 her county.

23 (2) (A) For fiscal years 2004–05 to 2006–07, inclusive, to the  
 24 extent that funds are appropriated for purposes of this paragraph,  
 25 the county superintendent, or his or her designee, shall annually  
 26 submit a report, at a regularly scheduled November board meeting,  
 27 to the governing board of each school district under his or her  
 28 jurisdiction, the county board of education of his or her county,  
 29 and the board of supervisors of his or her county describing the  
 30 state of the schools in the county or of his or her office that are  
 31 ranked in deciles 1 to 3, inclusive, of the 2003 base Academic  
 32 Performance Index (API), as defined in subdivision (b) of Section  
 33 17592.70, and shall include, among other things, his or her  
 34 observations while visiting the schools and his or her  
 35 determinations for each school regarding the status of all of the  
 36 circumstances listed in subparagraph (I) and teacher  
 37 misassignments and teacher vacancies. As a condition for receipt  
 38 of funds, the county superintendent, or his or her designee, shall  
 39 use a standardized template to report the circumstances listed in  
 40 subparagraph (I) and teacher misassignments and teacher vacancies,

1 unless the current annual report being used by the county  
2 superintendent, or his or her designee, already includes those details  
3 for each school.

4 (B) Commencing with the 2007–08 fiscal year, to the extent  
5 that funds are appropriated for purposes of this paragraph, the  
6 county superintendent, or his or her designee, shall annually submit  
7 a report, at a regularly scheduled November board meeting, to the  
8 governing board of each school district under his or her jurisdiction,  
9 the county board of education of his or her county, and the board  
10 of supervisors of his or her county describing the state of the  
11 schools in the county or of his or her office that are ranked in  
12 deciles 1 to 3, inclusive, of the 2006 base API, pursuant to Section  
13 52056. As a condition for the receipt of funds, the annual report  
14 shall include the determinations for each school made by the county  
15 superintendent, or his or her designee, regarding the status of all  
16 of the circumstances listed in subparagraph (I) and teacher  
17 misassignments and teacher vacancies, and the county  
18 superintendent, or his or her designee, shall use a standardized  
19 template to report the circumstances listed in subparagraph (I) and  
20 teacher misassignments and teacher vacancies, unless the current  
21 annual report being used by the county superintendent, or his or  
22 her designee, already includes those details with the same level of  
23 specificity that is otherwise required by this subdivision. For  
24 purposes of this section, schools ranked in deciles 1 to 3, inclusive,  
25 on the 2006 base API shall include any schools determined by the  
26 department to meet either of the following:

27 (i) The school meets all of the following criteria:

28 (I) Does not have a valid base API score for 2006.

29 (II) Is operating in fiscal year 2007–08 and was operating in  
30 fiscal year 2006–07 during the Standardized Testing and Reporting  
31 (STAR) Program testing period.

32 (III) Has a valid base API score for 2005 that was ranked in  
33 deciles 1 to 3, inclusive, in that year.

34 (ii) The school has an estimated base API score for 2006 that  
35 would be in deciles 1 to 3, inclusive.

36 (C) The department shall estimate an API score for any school  
37 meeting the criteria of subclauses (I) and (II) of clause (i) of  
38 subparagraph (B) and not meeting the criteria of subclause (III)  
39 of clause (i) of subparagraph (B), using available testing scores  
40 and any weighting or corrective factors it deems appropriate. The

1 department shall post the API scores on its Internet Web site on  
2 or before May 1.

3 (D) For purposes of this section, references to schools ranked  
4 in deciles 1 to 3, inclusive, on the 2006 base API shall exclude  
5 any schools operated by county offices of education pursuant to  
6 Section 56140, as determined by the department.

7 (E) (i) Commencing with the 2010–11 fiscal year and every  
8 third year thereafter, the Superintendent shall identify a list of  
9 schools ranked in deciles 1 to 3, inclusive, of the API for which  
10 the county superintendent, or his or her designee, shall annually  
11 submit a report, at a regularly scheduled November board meeting,  
12 to the governing board of each school district under his or her  
13 jurisdiction, the county board of education of his or her county,  
14 and the board of supervisors of his or her county that describes the  
15 state of the schools in the county or of his or her office that are  
16 ranked in deciles 1 to 3, inclusive, of the base API as defined in  
17 clause (ii).

18 (ii) For the 2010–11 fiscal year, the list of schools ranked in  
19 deciles 1 to 3, inclusive, of the base API shall be updated using  
20 the criteria set forth in clauses (i) and (ii) of subparagraph (B) and  
21 subparagraphs (C) and (D), as applied to the 2009 base API, and  
22 thereafter shall be updated every third year using the criteria set  
23 forth in clauses (i) and (ii) of subparagraph (B) and subparagraphs  
24 (C) and (D), as applied to the base API of the year preceding the  
25 third year consistent with clause (i).

26 (iii) As a condition for the receipt of funds, the annual report  
27 shall include the determinations for each school made by the county  
28 superintendent, or his or her designee, regarding the status of all  
29 of the circumstances listed in subparagraph (I) and teacher  
30 misassignments and teacher vacancies, and the county  
31 superintendent, or his or her designee, shall use a standardized  
32 template to report the circumstances listed in subparagraph (I) and  
33 teacher misassignments and teacher vacancies, unless the current  
34 annual report being used by the county superintendent, or his or  
35 her designee, already includes those details with the same level of  
36 specificity that is otherwise required by this subdivision.

37 (F) The county superintendent of the Counties of Alpine,  
38 Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City  
39 and County of San Francisco shall contract with another county

1 office of education or an independent auditor to conduct the  
2 required visits and make all reports required by this paragraph.

3 (G) On a quarterly basis, the county superintendent, or his or  
4 her designee, shall report the results of the visits and reviews  
5 conducted that quarter to the governing board of the school district  
6 at a regularly scheduled meeting held in accordance with public  
7 notification requirements. The results of the visits and reviews  
8 shall include the determinations of the county superintendent, or  
9 his or her designee, for each school regarding the status of all the  
10 circumstances listed in subparagraph (I) and teacher  
11 misassignments and teacher vacancies. If the county  
12 superintendent, or his or her designee, conducts no visits or reviews  
13 in a quarter, the quarterly report shall report that fact.

14 (H) The visits made pursuant to this paragraph shall be  
15 conducted at least annually and shall meet the following criteria:

- 16 (i) Minimize disruption to the operation of the school.
- 17 (ii) Be performed by individuals who meet the requirements of  
18 Section 45125.1.
- 19 (iii) Consist of not less than 25 percent unannounced visits in  
20 each county. During unannounced visits in each county, the county  
21 superintendent shall not demand access to documents or specific  
22 school personnel. Unannounced visits shall only be used to observe  
23 the condition of school repair and maintenance, and the sufficiency  
24 of instructional materials, as defined by Section 60119.

25 (I) The priority objective of the visits made pursuant to this  
26 paragraph shall be to determine the status of all of the following  
27 circumstances:

- 28 (i) Sufficient textbooks as defined in Section 60119 and as  
29 specified in subdivision (i).
- 30 (ii) The condition of a facility that poses an emergency or urgent  
31 threat to the health or safety of pupils or staff as defined in district  
32 policy or paragraph (1) of subdivision (c) of Section 17592.72.
- 33 (iii) The accuracy of data reported on the school accountability  
34 report card with respect to the availability of sufficient textbooks  
35 and instructional materials, as defined by Section 60119, and the  
36 safety, cleanliness, and adequacy of school facilities, including  
37 good repair as required by Sections 17014, 17032.5, 17070.75,  
38 and 17089.

39 (J) The county superintendent may make the status  
40 determinations described in subparagraph (I) during a single visit

1 or multiple visits. In determining whether to make a single visit  
2 or multiple visits for this purpose, the county superintendent shall  
3 take into consideration factors such as cost-effectiveness, disruption  
4 to the schoolsite, deadlines, and the availability of qualified  
5 reviewers.

6 (K) If the county superintendent determines that the condition  
7 of a facility poses an emergency or urgent threat to the health or  
8 safety of pupils or staff as defined in district policy or paragraph  
9 (1) of subdivision (c) of Section 17592.72, or is not in good repair,  
10 as specified in subdivision (d) of Section 17002 and required by  
11 Sections 17014, 17032.5, 17070.75, and 17089, the county  
12 superintendent may, among other things, do any of the following:

13 (i) Return to the school to verify repairs.

14 (ii) Prepare a report that specifically identifies and documents  
15 the areas or instances of noncompliance if the district has not  
16 provided evidence of successful repairs within 30 days of the visit  
17 of the county superintendent or, for major projects, has not  
18 provided evidence that the repairs will be conducted in a timely  
19 manner. The report may be provided to the governing board of the  
20 school district. If the report is provided to the school district, it  
21 shall be presented at a regularly scheduled meeting held in  
22 accordance with public notification requirements. The county  
23 superintendent shall post the report on his or her Internet Web site.  
24 The report shall be removed from the Internet Web site when the  
25 county superintendent verifies the repairs have been completed.

26 (d) Distribute all laws, reports, circulars, instructions, and blanks  
27 that he or she may receive for the use of the school officers.

28 (e) Annually, on or before August 15, present a report to the  
29 governing board of the school district and the Superintendent  
30 regarding the fiscal solvency of any school district with a  
31 disapproved budget, qualified interim certification, or a negative  
32 interim certification, or that is determined at any time to be in a  
33 position of fiscal uncertainty pursuant to Section 42127.6.

34 (f) Keep in his or her office the reports of the Superintendent.

35 (g) Keep a record of his or her official acts, and of all the  
36 proceedings of the county board of education, including a record  
37 of the standing, in each study, of all applicants for certificates who  
38 have been examined, which shall be open to the inspection of any  
39 applicant or his or her authorized agent.

40 (h) Enforce the course of study.

1 (i) (1) Enforce the use of state textbooks and instructional  
2 materials and of high school textbooks and instructional materials  
3 regularly adopted by the proper authority in accordance with  
4 Section 51050.

5 (2) For purposes of this subdivision, sufficient textbooks or  
6 instructional materials has the same meaning as in subdivision (c)  
7 of Section 60119.

8 (3) (A) Commencing with the 2005–06 school year, if a school  
9 is ranked in any of deciles 1 to 3, inclusive, of the 2003 base API,  
10 as defined in subdivision (b) of Section 17592.70, and not currently  
11 under review pursuant to a state or federal intervention program,  
12 the county superintendent shall specifically review that school at  
13 least annually as a priority school. A review conducted for purposes  
14 of this paragraph shall be completed by the fourth week of the  
15 school year.

16 (B) In order to facilitate the review of instructional materials  
17 before the fourth week of the school year, the county superintendent  
18 of schools in a county with 200 or more schools that are ranked  
19 in any of deciles 1 to 3, inclusive, of the 2003 base API, as defined  
20 in subdivision (b) of Section 17592.70, may utilize a combination  
21 of visits and written surveys of teachers for the purpose of  
22 determining sufficiency of textbooks and instructional materials  
23 in accordance with subparagraph (A) of paragraph (1) of  
24 subdivision (a) of Section 60119 and as defined in subdivision (c)  
25 of Section 60119. If a county superintendent of schools elects to  
26 conduct written surveys of teachers, the county superintendent of  
27 schools shall visit the schools surveyed within the same academic  
28 year to verify the accuracy of the information reported on the  
29 surveys. If a county superintendent surveys teachers at a school  
30 in which the county superintendent has found sufficient textbooks  
31 and instructional materials for the previous two consecutive years  
32 and determines that the school does not have sufficient textbooks  
33 or instructional materials, the county superintendent shall within  
34 10 business days provide a copy of the insufficiency report to the  
35 school district as set forth in paragraph (4).

36 (C) For purposes of this paragraph, “written surveys” may  
37 include paper and electronic or online surveys.

38 (4) If the county superintendent determines that a school does  
39 not have sufficient textbooks or instructional materials in  
40 accordance with subparagraph (A) of paragraph (1) of subdivision

1 (a) of Section 60119 and as defined by subdivision (c) of Section  
 2 60119, the county superintendent shall do all of the following:

3 (A) Prepare a report that specifically identifies and documents  
 4 the areas or instances of noncompliance.

5 (B) Provide within five business days of the review, a copy of  
 6 the report to the school district, as provided in subdivision (c), or,  
 7 if applicable, provide a copy of the report to the school district  
 8 within 10 business days pursuant to subparagraph (B) of paragraph  
 9 (3).

10 (C) Provide the school district with the opportunity to remedy  
 11 the deficiency. The county superintendent shall ensure remediation  
 12 of the deficiency no later than the second month of the school term.

13 (D) If the deficiency is not remedied as required pursuant to  
 14 subparagraph (C), the county superintendent shall request the  
 15 department purchase the textbooks or instructional materials  
 16 necessary to comply with the sufficiency requirement of this  
 17 subdivision. If the department purchases textbooks or instructional  
 18 materials for the school district, the department shall issue a public  
 19 statement at the first regularly scheduled meeting of the state board  
 20 occurring immediately after the department receives the request  
 21 of the county superintendent and that meets the applicable public  
 22 notice requirements, indicating that the district superintendent and  
 23 the governing board of the school district failed to provide pupils  
 24 with sufficient textbooks or instructional materials as required by  
 25 this subdivision. Before purchasing the textbooks or instructional  
 26 materials, the department shall consult with the district to determine  
 27 which textbooks or instructional materials to purchase. All  
 28 purchases of textbooks or instructional materials shall comply with  
 29 Chapter 3.25 (commencing with Section 60420) of Part 33. The  
 30 amount of funds necessary for the purchase of the textbooks and  
 31 materials is a loan to the school district receiving the textbooks or  
 32 instructional materials. Unless the school district repays the amount  
 33 owed based upon an agreed-upon repayment schedule with the  
 34 Superintendent, the Superintendent shall notify the Controller and  
 35 the Controller shall deduct an amount equal to the total amount  
 36 used to purchase the textbooks and materials from the next  
 37 principal apportionment of the district or from another  
 38 apportionment of state funds.

39 (j) (1) (A) ~~Report to a school district on~~ *Review* the availability  
 40 to all otherwise qualified pupils in grades 7 to 12, inclusive, of a

1 course of study fulfilling the requirements and prerequisites for  
2 admission to the California public institutions of postsecondary  
3 education, in accordance with Section 51228, at a school ranked  
4 in any of deciles 1 to 3, inclusive, of the API ~~within the jurisdiction~~  
5 ~~of that district and report on that availability to the school district~~  
6 ~~that has jurisdiction over that school and to the Superintendent.~~

7 (B) For purposes of this subdivision, availability to all otherwise  
8 qualified pupils has the same meaning as in subdivision ~~(b)~~ (a) of  
9 Section 51228.

10 ~~(2) Commencing with the 2008–09 school year, if a school is~~  
11 ~~ranked in any of deciles 1 to 3, inclusive, of the base API, as~~  
12 ~~specified in paragraph (2) of subdivision (c), the county~~  
13 ~~superintendent shall review that school at least annually as a~~  
14 ~~priority school.~~

15 ~~(3)~~

16 (2) If the county superintendent determines that a school  
17 reviewed pursuant to paragraph ~~(2)~~ (1) does not make available to  
18 all otherwise qualified pupils in grades 7 to 12, inclusive, a course  
19 of study fulfilling the requirements for admission to the California  
20 public institutions of postsecondary education in accordance with  
21 Section 51228, the county superintendent shall, within the same  
22 school year, do both of the following:

23 (A) Assess whether the school is deficient in one or more of the  
24 following areas:

25 (i) Provision of sufficient courses in high schools that are  
26 certified by the University of California as meeting the  
27 requirements for admission to the University of California and the  
28 California State University in a manner that every otherwise  
29 qualified pupil is able to access in the sequence of introductory  
30 and then advanced courses recommended by the University of  
31 California and the California State University, as applicable.

32 (ii) Assignment of teachers who hold a credential and subject  
33 matter certification in the subject matter in which they teach, to  
34 courses that are certified by the University of California as meeting  
35 the requirements for admission to the University of California and  
36 the California State University.

37 (iii) Provision of instructional support sufficient for pupils  
38 enrolled in courses that are certified by the University of California  
39 as meeting the requirements for admission to the University of

1 California and the California State University to be able to achieve  
2 a grade of C or better in the courses.

3 (iv) Assignment within middle schools of pupils to prealgebra  
4 or higher level mathematics courses and foreign language courses  
5 that are certified by the University of California as meeting the  
6 requirements for admission to the University of California and the  
7 California State University.

8 (B) In response to the assessment conducted in subparagraph  
9 (A), offer assistance to the school consistent with one or more of  
10 the following:

11 (i) Developing and reporting on a plan, including benchmarks,  
12 for increased availability of courses that are certified by the  
13 University of California as meeting the requirements for admission  
14 to the University of California and the California State University  
15 to achieve compliance with Section 51228, including modifications  
16 to core academic courses to integrate career technical education  
17 and learning strategies that include the application of coursework  
18 to career settings.

19 (ii) Offering management assistance and counselor in-service  
20 training to ensure that otherwise eligible middle and high school  
21 pupils are able to enroll in courses that are certified by the  
22 University of California as meeting the requirements for admission  
23 to the University of California and the California State University.

24 ~~(iii) If the enrollment of pupils whose first language is not~~  
25 ~~English, including both English language learners and pupils who~~  
26 ~~have been reclassified as proficient in English, in the school~~  
27 ~~exceeds 25 percent, recommending classes designed to enable~~  
28 ~~native speakers of other languages to meet the foreign language~~  
29 ~~requirements for admission to the University of California and the~~  
30 ~~California State University.~~

31 (iv)

32 (iii) Recommending use of a personnel management assistance  
33 team, as defined in Section 44740, to assist the school and school  
34 district in increasing the numbers of teachers who hold a credential  
35 and subject matter certification in the subject matter of the courses  
36 they teach that are certified by the University of California as  
37 meeting the requirements for admission to the University of  
38 California and the California State University, and to encourage  
39 the district to apply for professional development funding,  
40 consistent, for example, with Section 99234, to allow teachers who

1 do not hold either a credential or a subject matter certification in  
2 the subjects they teach to advance their training and obtain the  
3 proper credentials and subject matter certifications.

4 ~~(v)~~

5 (iv) Developing and reporting on a plan, including benchmarks,  
6 for availability or increased availability of instructional support,  
7 ~~including, but not limited to, extended instructional time, tutoring,~~  
8 ~~partnership with a university outreach program, and intervention,~~  
9 ~~sufficient for pupils enrolled in courses that are certified by the~~  
10 ~~University of California as meeting the requirements for admission~~  
11 ~~to the University of California and the California State University~~  
12 ~~to be able to achieve passing grades in those courses. and if the~~  
13 ~~enrollment of pupils whose first language is not English, including~~  
14 ~~both English language learners and pupils who have been~~  
15 ~~reclassified as proficient in English, in the school exceeds 25~~  
16 ~~percent, recommending classes designed to enable native speakers~~  
17 ~~of other languages to meet the foreign language requirements for~~  
18 ~~admission to the University of California and the California State~~  
19 ~~University.~~

20 (k) Preserve carefully all reports of school officers and teachers.

21 (l) (1) Submit two reports during the fiscal year to the county  
22 board of education in accordance with the following:

23 (A) The first report shall cover the financial and budgetary status  
24 of the county office of education for the period ending October  
25 31. The second report shall cover the period ending January 31.  
26 Both reports shall be reviewed by the county board of education  
27 and approved by the county superintendent of schools no later than  
28 45 days after the close of the period being reported.

29 (B) As part of each report, the county superintendent shall certify  
30 in writing whether or not the county office of education is able to  
31 meet its financial obligations for the remainder of the fiscal year  
32 and, based on current forecasts, for two subsequent fiscal years.  
33 The certifications shall be classified as positive, qualified, or  
34 negative, pursuant to standards prescribed by the Superintendent,  
35 for the purposes of determining subsequent state agency actions  
36 pursuant to Section 1240.1. For purposes of this subdivision, a  
37 negative certification shall be assigned to any county office of  
38 education that, based upon current projections, will not meet its  
39 financial obligations for the remainder of the fiscal year or for the  
40 subsequent fiscal year. A qualified certification shall be assigned

1 to any county office of education that may not meet its financial  
2 obligations for the current fiscal year or two subsequent fiscal  
3 years. A positive certification shall be assigned to any county office  
4 of education that will meet its financial obligations for the current  
5 fiscal year and subsequent two fiscal years. In accordance with  
6 those standards, the Superintendent may reclassify any certification.  
7 If a county office of education receives a negative certification,  
8 the Superintendent, or his or her designee, may exercise the  
9 authority set forth in subdivision (c) of Section 1630. Copies of  
10 each certification, and of the report containing that certification,  
11 shall be sent to the Superintendent at the time the certification is  
12 submitted to the county board of education. Copies of each  
13 qualified or negative certification and the report containing that  
14 certification shall be sent to the Controller at the time the  
15 certification is submitted to the county board of education.

16 (2) All reports and certifications required under this subdivision  
17 shall be in a format or on forms prescribed by the Superintendent,  
18 and shall be based on standards and criteria for fiscal stability  
19 adopted by the state board pursuant to Section 33127. The reports  
20 and supporting data shall be made available by the county  
21 superintendent of schools to any interested party upon request.

22 (3) This subdivision does not preclude the submission of  
23 additional budgetary or financial reports by the county  
24 superintendent to the county board of education or to the  
25 Superintendent.

26 (4) The county superintendent of schools is not responsible for  
27 the fiscal oversight of the community colleges in the county.  
28 However, he or she may perform financial services on behalf of  
29 those community colleges.

30 (m) Deliver to his or her successor, at the close of his or her  
31 official term, all records, books, documents, and papers belonging  
32 to the office, taking a receipt for them, which shall be filed with  
33 the department.

34 (n) If requested, act as agent for the purchase of supplies for the  
35 city and high school districts of his or her county.

36 (o) For purposes of Section 44421.5, report to the Commission  
37 on Teacher Credentialing the identity of any certificated person  
38 who knowingly and willingly reports false fiscal expenditure data  
39 relative to the conduct of any educational program. This  
40 requirement applies only if, in the course of his or her normal

1 duties, the county superintendent of schools discovers information  
2 that gives him or her reasonable cause to believe that false fiscal  
3 expenditure data relative to the conduct of any educational program  
4 has been reported.

5 ~~SEC. 3. Section 49067 of the Education Code is amended to~~  
6 ~~read:~~

7 ~~49067. (a) The governing board of each school district shall~~  
8 ~~prescribe regulations requiring the evaluation of the achievement~~  
9 ~~of each pupil for each marking period and requiring a conference~~  
10 ~~with, or a written report to, the parent of each pupil whenever it~~  
11 ~~becomes evident to the teacher that the pupil is in danger of failing~~  
12 ~~a course or that the pupil is at risk of not meeting the curricular~~  
13 ~~requirements for admission to the California public institutions of~~  
14 ~~postsecondary education. The refusal of the parent to attend the~~  
15 ~~conference, or to respond to the written report, shall not preclude~~  
16 ~~failing the pupil at the end of the grading period.~~

17 ~~(b) The governing board of any school district may adopt~~  
18 ~~regulations authorizing a teacher to assign a failing grade to any~~  
19 ~~pupil whose absences from the class of the teacher that are not~~  
20 ~~excused pursuant to Section 48205 equal or exceed a maximum~~  
21 ~~number that shall be specified by the board. Regulations adopted~~  
22 ~~pursuant to this subdivision shall include, but not be limited to,~~  
23 ~~the following:~~

24 ~~(1) A reasonable opportunity for the pupil or the parent or legal~~  
25 ~~guardian of the pupil to explain the absences.~~

26 ~~(2) A method for identification in the record of the pupil of the~~  
27 ~~failing grades assigned to the pupil on the basis of excessive~~  
28 ~~unexcused absences.~~

29 ~~(c) Notwithstanding the provisions of subdivision (a) of Section~~  
30 ~~49061, the provisions of this section shall apply to the parent or~~  
31 ~~legal guardian of any pupil without regard to the age of the pupil.~~

32 ~~SEC. 4.~~

33 ~~SEC. 3. Section 51224 of the Education Code is amended to~~  
34 ~~read:~~

35 ~~51224. The governing board of a school district maintaining~~  
36 ~~a high school shall prescribe courses of study designed to provide~~  
37 ~~the skills and knowledge required for adult life for pupils attending~~  
38 ~~the schools within its school district. The governing board shall~~  
39 ~~prescribe courses of study, including, but not limited to, study~~  
40 ~~designed to prepare prospective pupils for admission to state~~

1 colleges and universities and study designed to prepare a pupil for  
2 work through career technical education training.

3 ~~SEC. 5.~~

4 *SEC. 4.* Section 51228 of the Education Code is amended to  
5 read:

6 51228. (a) (1) A school district maintaining any of grades 7  
7 to 12, inclusive, shall offer to all otherwise qualified pupils in those  
8 grades a course of study fulfilling the requirements and  
9 prerequisites for admission to the California public institutions of  
10 postsecondary education and shall provide a timely opportunity  
11 to each of those pupils to enroll within a four-year period in each  
12 course necessary to fulfill those requirements and prerequisites  
13 prior to graduation from high school.

14 (2) (A) A school district shall be deemed to have fulfilled its  
15 responsibilities pursuant to paragraph (1) if it, at each school in  
16 the district offering grade 7 or 8, or both, offers instructional  
17 support for pupils in that grade or those grades who ~~struggle to,~~  
18 ~~or~~ are at risk of failing to; complete courses that are certified by  
19 the University of California as meeting the requirements for  
20 admission to the University of California and the California State  
21 University in the sequence of introductory and then advanced  
22 courses recommended by the University of California and the  
23 California State University, as applicable. ~~Instructional support~~  
24 ~~may include, for example, tutoring; support classes that provide~~  
25 ~~additional instruction on the same content provided in individual~~  
26 ~~classes that are certified by the University of California as meeting~~  
27 ~~the requirements for admission to the University of California and~~  
28 ~~the California State University; extended school days or weeks,~~  
29 ~~including, but not limited to, Saturday classes; and block schedules.~~

30 (B) A school district shall be deemed to have fulfilled its  
31 responsibilities pursuant to paragraph (1) if it fulfills, at each high  
32 school in the district, both of the following requirements:

33 (i) Offers sufficient courses that are certified by the University  
34 of California as meeting the requirements for admission to the  
35 University of California and the California State University and  
36 are taught by teachers who hold credentials in the subject matter  
37 of the courses that they teach in numbers and at times that allow  
38 all pupils to take those courses in the sequence of introductory and  
39 then advanced courses recommended by the University of  
40 California and the California State University, as applicable, except

1 if pupils have not completed, with a passing grade or better, any  
2 prerequisite coursework.

3 (ii) Offers instructional support for pupils who struggle to, or  
4 are at risk of failing to, complete courses that are certified by the  
5 University of California as meeting the requirements for admission  
6 to the University of California and the California State University  
7 in the sequence of introductory and then advanced courses  
8 recommended by the University of California and the California  
9 State University, as applicable. ~~Instructional support may include,  
10 for example, tutoring; support classes that provide additional  
11 instruction on the same content provided in individual classes that  
12 are certified by the University of California as meeting the  
13 requirements for admission to the University of California and the  
14 California State University; extended school days or weeks,  
15 including, but not limited to, Saturday classes; and block schedules.~~

16 (b) A school district maintaining any of grades 7 to 12, inclusive,  
17 shall offer to all otherwise qualified pupils in those grades a course  
18 of study that provides an opportunity for those pupils to attain  
19 entry-level employment skills in business or industry upon  
20 graduation from high school. School districts are encouraged to  
21 provide all pupils with a rigorous academic curriculum that  
22 integrates academic and career skills, incorporates applied learning  
23 in all disciplines, and prepares all pupils for high school graduation  
24 and career entry.

25 (c) A school district that adopts a required curriculum that meets  
26 or exceeds the model standards developed and adopted by the state  
27 board pursuant to Section 51226 shall be deemed to have fulfilled  
28 its responsibilities pursuant to subdivision (b).

29 (d) A school district that adopts a required curriculum pursuant  
30 to subdivision (c) that meets or exceeds the model standards  
31 developed by the state board pursuant to Section 51226, or that  
32 adopts alternative means for pupils to complete the prescribed  
33 course of study pursuant to subdivision (b) of Section 51225.3,  
34 may substitute pupil demonstration of competence in the prescribed  
35 subjects through a practical demonstration of these skills in a  
36 regional occupational center or program, work experience,  
37 interdisciplinary study, independent study, credit earned at a  
38 postsecondary institution, or other outside school experience, as  
39 prescribed by subdivision (b) of Section 51225.3.

1     ~~SEC. 6.~~

2     *SEC. 5.* Section 52052 of the Education Code is amended to  
3 read:

4     52052. (a) (1) The Superintendent, with approval of the state  
5 board, shall develop an Academic Performance Index (API), to  
6 measure the performance of schools, especially the academic  
7 performance of pupils.

8     (2) A school shall demonstrate comparable improvement in  
9 academic achievement as measured by the API by all numerically  
10 significant pupil subgroups at the school, including:

11     (A) Ethnic subgroups.

12     (B) Socioeconomically disadvantaged pupils.

13     (C) English language learners.

14     (D) Pupils with disabilities.

15     (3) (A) For purposes of this section, a numerically significant  
16 pupil subgroup is one that meets both of the following criteria:

17     (i) The subgroup consists of at least 50 pupils each of whom  
18 has a valid test score.

19     (ii) The subgroup constitutes at least 15 percent of the total  
20 population of pupils at a school who have valid test scores.

21     (B) If a subgroup does not constitute 15 percent of the total  
22 population of pupils at a school who have valid test scores, the  
23 subgroup may constitute a numerically significant pupil subgroup  
24 if it has at least 100 valid test scores.

25     (C) For a school with an API score that is based on no fewer  
26 than 11 and no more than 99 pupils with valid test scores,  
27 numerically significant subgroups shall be defined by the  
28 Superintendent, with approval by the state board.

29     (4) (A) The API shall consist of a variety of indicators,  
30 including, but not limited to, all of the following:

31     (i) The results of the achievement test administered pursuant to  
32 Section 60640.

33     (ii) The attendance rates for pupils in elementary schools, middle  
34 schools, and secondary schools.

35     (iii) The graduation rates for pupils in secondary schools.

36     (iv) For high schools:

37     (I) Of the pupils who enrolled in a course certified by the  
38 University of California as meeting the requirements for admission  
39 to the University of California and the California State University,

1 the percentage of those pupils who completed that course and  
2 earned a grade of C or better.

3 (II) Of the pupils who enrolled in a course ~~that satisfied~~  
4 *satisfying* the California Career Technical Education Model  
5 Curriculum Standards, also known as the career technical education  
6 content standards adopted by the state board, the percentage of  
7 those pupils who completed that course and earned a grade of C  
8 or better.

9 ~~(III) The percentage of the pupils in each graduating class who~~  
10 ~~completed the curricular requirements for admission to the~~  
11 ~~University of California and the California State University.~~

12 (B) Graduation rates for pupils in secondary schools shall be  
13 calculated for the API as follows:

14 (i) The number of pupils who graduated on time for the current  
15 school year, which is considered to be three school years after the  
16 pupils entered grade 9 for the first time, divided by the total  
17 calculated in clause (ii).

18 (ii) The number of pupils entering grade 9 for the first time in  
19 the school year three school years prior to the current school year,  
20 plus the number of pupils who transferred into the class graduating  
21 at the end of the current school year between the school year that  
22 was three school years prior to the current school year and the date  
23 of graduation, less the number of pupils who transferred out of the  
24 school between the school year that was three school years prior  
25 to the current school year and the date of graduation who were  
26 members of the class that is graduating at the end of the current  
27 school year.

28 (C) The pupil data collected for the API that comes from the  
29 achievement test administered pursuant to Sections 60640 and  
30 60644 and the high school exit examination administered pursuant  
31 to Section 60851, when fully implemented, shall be disaggregated  
32 by special education status, English language learners,  
33 socioeconomic status, gender and ethnic group. Only the test scores  
34 of pupils who were counted as part of the enrollment in the annual  
35 data collection of the California Basic Educational Data System  
36 for the current fiscal year and who were continuously enrolled  
37 during that year may be included in the test result reports in the  
38 API score of the school. Results of the achievement test and other  
39 tests specified in subdivision (b) shall constitute at least 60 percent  
40 of the value of the index.

1 (D) Before including high school graduation rates and attendance  
2 rates in the API, the Superintendent shall determine the extent to  
3 which the data are currently reported to the state and the accuracy  
4 of the data. Notwithstanding any other provision of law, graduation  
5 rates for pupils in dropout recovery high schools shall not be  
6 included in the API. For purposes of this subparagraph, “dropout  
7 recovery high school” means a high school in which 50 percent  
8 or more of its pupils have been designated as dropouts pursuant  
9 to the exit/withdrawal codes developed by the department.

10 (E) The Superintendent shall provide an annual report to the  
11 Legislature on the graduation and dropout rates in California and  
12 shall make the same report available to the public. The report shall  
13 be accompanied by the release of publicly accessible data for each  
14 school district and school in a manner that provides for  
15 disaggregation based upon socioeconomically disadvantaged pupils  
16 and numerically significant subgroups scoring below average on  
17 statewide standards-aligned assessments. In addition, the data shall  
18 be made available in a manner that provides for comparisons of a  
19 minimum of three years of data.

20 (b) Pupil scores from the following tests, when available and  
21 when found to be valid and reliable for this purpose, shall be  
22 incorporated into the API:

23 (1) The assessment of the applied academic skills matrix test  
24 developed pursuant to Section 60604.

25 (2) The nationally normed test designated pursuant to Section  
26 60642.

27 (3) The standards-based achievement tests provided for in  
28 Section 60642.5.

29 (4) The high school exit examination.

30 (c) Based on the API, the Superintendent shall develop, and the  
31 state board shall adopt, expected annual percentage growth targets  
32 for all schools based on their API baseline score from the previous  
33 year. Schools are expected to meet these growth targets through  
34 effective allocation of available resources. For schools below the  
35 statewide API performance target adopted by the state board  
36 pursuant to subdivision (d), the minimum annual percentage growth  
37 target shall be 5 percent of the difference between the actual API  
38 score of a school and the statewide API performance target, or one  
39 API point, whichever is greater. Schools at or above the statewide  
40 API performance target shall have, as their growth target,

1 maintenance of their API score above the statewide API  
2 performance target. However, the state board may set differential  
3 growth targets based on grade level of instruction and may set  
4 higher growth targets for the lowest performing schools because  
5 they have the greatest room for improvement. To meet its growth  
6 target, a school shall demonstrate that the annual growth in its API  
7 is equal to or more than its schoolwide annual percentage growth  
8 target and that all numerically significant pupil subgroups, as  
9 defined in subdivision (a), are making comparable improvement.

10 (d) Upon adoption of state performance standards by the state  
11 board, the Superintendent shall recommend, and the state board  
12 shall adopt, a statewide API performance target that includes  
13 consideration of performance standards and represents the  
14 proficiency level required to meet the state performance target.  
15 When the API is fully developed, schools must, at a minimum,  
16 meet their annual API growth targets to be eligible for the  
17 Governor’s Performance Award Program as set forth in Section  
18 52057. The state board may establish additional criteria that schools  
19 must meet to be eligible for the Governor’s Performance Award  
20 Program.

21 (e) The API shall be used for both of the following:

22 (1) Measuring the progress of schools selected for participation  
23 in the Immediate Intervention/Underperforming Schools Program  
24 pursuant to Section 52053.

25 (2) Ranking all public schools in the state for the purpose of the  
26 High Achieving/Improving Schools Program pursuant to Section  
27 52056.

28 (f) (1) A school with 11 to 99 pupils with valid test scores shall  
29 receive an API score with an asterisk that indicates less statistical  
30 certainty than API scores based on 100 or more test scores.

31 (2) A school shall annually receive an API score, unless the  
32 Superintendent determines that an API score would be an invalid  
33 measure of the performance of the school for one or more of the  
34 following reasons:

35 (A) Irregularities in testing procedures occurred.

36 (B) The data used to calculate the API score of the school are  
37 not representative of the pupil population at the school.

38 (C) Significant demographic changes in the pupil population  
39 render year-to-year comparisons of pupil performance invalid.

1 (D) The department discovers or receives information indicating  
 2 that the integrity of the API score has been compromised.

3 (E) Insufficient pupil participation in the assessments included  
 4 in the API.

5 (3) If a school has fewer than 100 pupils with valid test scores,  
 6 the calculation of the API or adequate yearly progress pursuant to  
 7 the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301  
 8 et seq.) and federal regulations may be calculated over more than  
 9 one annual administration of the tests administered pursuant to  
 10 Sections 60640 and 60644 and the high school exit examination  
 11 administered pursuant to Section 60851, consistent with regulations  
 12 adopted by the state board.

13 (g) Only schools with 100 or more test scores contributing to  
 14 the API may be included in the API rankings.

15 (h) The Superintendent, with the approval of the state board,  
 16 shall develop an alternative accountability system for schools under  
 17 the jurisdiction of a county board of education or a county  
 18 superintendent of schools, community day schools, nonpublic,  
 19 nonsectarian schools pursuant to Section 56366, and alternative  
 20 schools serving high-risk pupils, including continuation high  
 21 schools and opportunity schools. Schools in the alternative  
 22 accountability system may receive an API score, but shall not be  
 23 included in the API rankings.

24 ~~SEC. 7.~~

25 *SEC. 6.* Section 52336 of the Education Code is amended to  
 26 read:

27 52336. (a) Any business, trade or professional association,  
 28 union, or state or local governmental agency operating within this  
 29 state may establish and operate, under the auspices of the local  
 30 school district, a career preparatory program within this state that  
 31 meets the requirements of this article.

32 (b) As part of a career preparatory program, an entity  
 33 establishing and operating the program shall develop and  
 34 implement a course of instruction for all pupils enrolled in the  
 35 program ~~that satisfies the curricular requirements for admission~~  
 36 ~~to the University of California and California State University~~  
 37 ~~applicable to grades 11 and 12.~~ *is aligned with the career technical*  
 38 *education curriculum framework adopted by the state board.*

39 (c) Subject to the development of the course of instruction  
 40 delineated in subdivision (b) and to continuing certification by the

1 department, an entity establishing and operating a career  
2 preparatory program may propose and implement a program that  
3 is designed to provide on-the-job training and instruction in specific  
4 career technical skills to prepare pupils for future employment.

5 (d) An entity establishing and operating a career preparatory  
6 program shall present pupils who have successfully completed all  
7 aspects of the program with a certificate of completion that shall  
8 supplement a high school diploma.

9 ~~SEC. 8.~~

10 *SEC. 7.* Section 52336.1 of the Education Code is repealed.

11 ~~SEC. 9.~~

12 *SEC. 8.* Section 52378 of the Education Code is amended to  
13 read:

14 52378. The Middle and High School Supplemental Counseling  
15 Program is hereby established for the purpose of providing  
16 additional counseling services to pupils in grades 7 to 12, inclusive.  
17 As a condition of receiving funds, the governing board of each  
18 school district maintaining any of grades 7 to 12, inclusive, shall  
19 do all of the following:

20 (a) The program shall be adopted at a public meeting of the  
21 governing board of a school district and shall include all of the  
22 following:

23 (1) A provision for individualized review of the academic and  
24 department records of the pupil.

25 (2) A provision for individualized review of the career goals  
26 of, and the available academic and career technical education  
27 opportunities and community and workplace experiences available  
28 to, the pupil that may support the pursuit of the goals of the pupil.

29 (3) A provision for a counselor to meet with each pupil and, if  
30 practicable, the parents or legal guardian of the pupil to explain  
31 the academic and department records of the pupil, his or her  
32 educational options, the coursework and academic progress needed  
33 for satisfactory completion of middle or high school, passage of  
34 the high school exit examination, and eligibility for admission to  
35 a four-year institution of postsecondary education, including the  
36 University of California and the California State University, as  
37 well as the availability of career technical education. The  
38 educational options explained at the meeting shall, if services are  
39 available, include the college preparatory program and career  
40 technical education programs, including regional occupational

1 centers and programs and any other alternatives available to pupils  
2 within the school district.

3 (b) In addition to the counseling services described in  
4 subdivision (a), school districts shall identify pupils who are at  
5 risk of not graduating with the rest of their class or are at risk of  
6 not being eligible for admission to the University of California  
7 and the California State University, are not earning credits at a  
8 rate that will enable them to pass the high school exit examination,  
9 or do not have sufficient training to allow them to fully engage in  
10 their chosen career, and shall do all of the following:

11 *(1) Require a conference with, or a written report to, the parent*  
12 *or legal guardian of a pupil whenever it becomes evident to a*  
13 *counselor that the pupil is in danger of failing a course or at risk*  
14 *of not meeting the curricular requirements for admission to the*  
15 *University of California and the California State University.*

16 ~~(1)~~

17 (2) Require each school within its jurisdiction that enrolls pupils  
18 in grades 10 and 12 to develop a list of coursework and experience  
19 necessary to assist each pupil in their respective grade that has not  
20 passed one or both parts of the high school exit examination or  
21 has not satisfied, or is not on track to satisfy, the curricular  
22 requirements for admission to the University of California and the  
23 California State University, and to successfully transition to  
24 postsecondary education or employment.

25 ~~(2)~~

26 (3) Require each school within its jurisdiction that enrolls pupils  
27 in grade 7 to develop a list of coursework and experience necessary  
28 to assist each pupil in grade 7 who is deemed to be at the far below  
29 basic level in English language arts or mathematics pursuant to  
30 California Standards Tests administered to pupils in grade 6 to  
31 successfully transition to high school and meet all graduation  
32 requirements, including passing the high school exit examination.

33 ~~(3)~~

34 (4) Require each school within its jurisdiction that enrolls pupils  
35 in grade 7 to develop a list of coursework and experience necessary  
36 to assist each pupil in grade 7 to begin to satisfy the requirements  
37 for admission to the University of California and California State  
38 University systems.

39 ~~(4)~~

1 (5) A copy of the lists developed pursuant to paragraphs ~~(2)~~ and  
2 ~~(3)~~ (3) and (4) shall be provided to the pupil and his or her parent  
3 or legal guardian. The school district shall ensure that the list of  
4 coursework and experience is part of the cumulative records of  
5 the pupil.

6 (c) (1) In addition to the items identified in subdivision (b), the  
7 list of coursework and experience for a pupil enrolled in grade 12  
8 shall include options for continuing his or her education if he or  
9 she fails to meet graduation requirements. These options shall  
10 include, but not be limited to, all of the following:

11 (A) Enrolling in an adult education program.

12 (B) Enrolling in a community college.

13 (C) Continuing enrollment in the school district of the pupil.

14 (2) A copy of the list of coursework and experience necessary  
15 shall be provided to the pupil and his or her parent or legal  
16 guardian. The school district shall ensure that the list of coursework  
17 and experience is part of the cumulative records of the pupil.

18 (d) As a condition of receipt of funds pursuant to this article, a  
19 school district shall require each school within its jurisdiction to  
20 offer and schedule an individual conference with each pupil,  
21 identified in paragraphs ~~(1), (2), and (3)~~ (2), (3), and (4) of  
22 subdivision (b), and his or her parent or legal guardian, and a school  
23 counselor. The individual conference shall be scheduled, to the  
24 extent feasible, according to the following requirements:

25 (1) For a pupil enrolled in grade 7, the conference shall occur  
26 before January of that school year in which the pupil is enrolled  
27 in grade 7.

28 (2) For a pupil enrolled in grade 10, the conference shall occur  
29 between the spring of that school year in which the pupil is enrolled  
30 in grade 10 and the fall of the following school year in which the  
31 pupil would be enrolled in grade 11. For a school operating on a  
32 multitrack, year-round calendar, the conference for a pupil enrolled  
33 in grade 10 shall occur in the timeframe that is equivalent to that  
34 specified timeframe for a school operating on a traditional calendar.

35 (3) For a pupil enrolled in grade 12, the conference shall occur  
36 after November of that school year in which the pupil is enrolled  
37 in grade 12, but before March of the same school year. For a school  
38 operating on a multitrack, year-round calendar, the conference for  
39 a pupil enrolled in grade 12 shall occur in the timeframe that is

1 equivalent to that specified timeframe for a school operating on a  
2 traditional calendar.

3 (e) During the individual conference described in subdivision  
4 (d), the school counselor shall apprise the pupil identified in  
5 paragraphs ~~(1), (2), and (3)~~ (2), (3), and (4) of subdivision (b), and  
6 his or her parent or legal guardian of the following:

7 (1) Consequences of not passing the high school exit  
8 examination.

9 (2) Programs, courses, and career technical education options  
10 available for pupils needed for satisfactory completion of middle  
11 or high school.

12 (3) Cumulative records and transcripts of the pupil.

13 (4) Performance on standardized and diagnostic assessments of  
14 the pupil.

15 (5) Remediation strategies, high school courses, and alternative  
16 education options available to the pupil.

17 (6) Information on postsecondary education and training.

18 (7) The score of the pupil on the English language arts or  
19 mathematics portion of the California Standards Test administered  
20 in grade 6, as applicable.

21 (8) Eligibility requirements, including coursework and test  
22 requirements, and the progress of the pupil toward satisfaction of  
23 those requirements for admission to four-year institutions of  
24 postsecondary education, including, at least, the University of  
25 California and the California State University.

26 (9) The availability of financial aid for postsecondary education.

27 ~~SEC. 10.~~

28 *SEC. 9.* Section 52380 of the Education Code is amended to  
29 read:

30 52380. As a condition of receipt of funds pursuant to this  
31 chapter, a school district shall submit an annual report in a manner  
32 determined by the Superintendent that describes the number of  
33 pupils served, the number of school counselors involved in  
34 conferences, the number and percentage of pupils who participated  
35 in conferences and who successfully passed the high school exit  
36 examination and satisfied the requirements for admission to the  
37 University of California and the California State University, and  
38 the number and percentage of pupils who participated in  
39 conferences and who fail to pass one or both sections of the exit  
40 examination, and a summary of the most prevalent results for

1 pupils based on the graduation plans developed pursuant to this  
2 chapter.

3 ~~SEC. 11.~~

4 *SEC. 10.* Chapter 18 (commencing with Section 53100) is  
5 added to Part 28 of Division 4 of Title 2 of the Education Code,  
6 to read:

7

8 CHAPTER 18. ~~FAIR COMPETITION FOR COLLEGE AND CAREER~~  
9 *OPPORTUNITY PILOT PROGRAM*

10

11 53100. ~~(a) The Fair Competition for~~ *The* College and Career  
12 *Opportunity* Pilot Program is hereby established and shall be  
13 administered by the Superintendent.

14 ~~(b) (1) The purpose of the five-year pilot program is to assist~~  
15 ~~high schools that choose to, and are selected to, participate in~~  
16 ~~providing access to rigorous, comprehensive programs that~~  
17 ~~combine college preparatory academic and technical courses of~~  
18 ~~study, as well as college and career counseling and college and~~  
19 ~~work-based learning opportunities to interested pupils throughout~~  
20 ~~the state.~~

21 ~~(2) Because individual high schools have developed different~~  
22 ~~levels of infrastructure for the existence and support of~~  
23 ~~comprehensive programs, up to 100 individual, comprehensive~~  
24 ~~high schools eligible for grants through the program will be funded~~  
25 ~~only after their submission to, and approval by, the Superintendent~~  
26 ~~of a five-year plan and budget for the school pursuant to Section~~  
27 ~~53103.~~

28 ~~(e) For purposes of this chapter, it is the intent of the Legislature~~  
29 ~~that college preparatory and career technical education courses~~  
30 ~~mutually reinforce one another.~~

31 53101. For purposes of this chapter, the following terms have  
32 the following meaning, unless the context requires otherwise:

33 (a) “Career technical education courses” means those sequences  
34 of career technical education courses that are aligned to the career  
35 technical education curriculum framework adopted by the state  
36 board.

37 (b) “College preparatory courses” means those courses that  
38 satisfy the curricular requirements for admission to the University  
39 of California and the California State University.

1 ~~(e) “Comprehensive high school” means a high school that is~~  
2 ~~not an opportunity school.~~

3 ~~(d)~~

4 ~~(c) “Program” means the Fair Competition for College and~~  
5 ~~Career Opportunity Pilot Program established pursuant to this~~  
6 ~~chapter.~~

7 53102. (a) The Superintendent shall identify ~~comprehensive~~  
8 high schools in deciles 1 to 5, inclusive, of the Academic  
9 Performance Index (API) that enroll 400 or more pupils and that  
10 meet ~~at least two~~ *both* of the following criteria:

11 ~~(1) Fewer than 15 percent of the pupils in the class of 2006, as~~  
12 ~~measured by the number of pupils entering grade 9 in 2002,~~  
13 ~~completed the necessary curricular requirements for admission to~~  
14 ~~the University of California and the California State University~~  
15 ~~with a C average or better.~~

16 ~~(2)~~

17 ~~(1) Fewer than 67 percent of the total courses offered by the~~  
18 ~~school qualify as college preparatory courses.~~

19 ~~(3)~~

20 ~~(2) Fewer than 80 percent of the college preparatory and career~~  
21 ~~technical education courses of the school are taught by teachers~~  
22 ~~who hold a credential or subject matter certification in the subject~~  
23 ~~matter of the course or courses they teach.~~

24 ~~(4) A majority of the pupils of the school qualify for free or~~  
25 ~~reduced-price meals.~~

26 ~~(b) (1) By January 15, 2008, the Superintendent shall invite~~  
27 ~~schools identified pursuant to subdivision (a) to apply to participate~~  
28 ~~in the program.~~

29 ~~(2) The invitation shall discuss the availability of the grant funds,~~  
30 ~~which are intended to increase the capacity of a school to offer~~  
31 ~~pupils the opportunity to access and succeed in college preparatory~~  
32 ~~and career technical education courses and to receive support and~~  
33 ~~information regarding how to qualify for admission to a two- or~~  
34 ~~four-year institution of postsecondary education.~~

35 ~~(c) The Superintendent or staff members designated by him or~~  
36 ~~her, from January to April 2008, inclusive, shall publicize the~~  
37 ~~program, encourage invited schools to participate, and be available~~  
38 ~~to confer with school officials to answer questions regarding the~~  
39 ~~program.~~

1 53103. (a) A school invited to apply to participate in the  
2 program pursuant to subdivision (b) of Section 53102 may apply  
3 to participate in the program by submitting a five-year program  
4 participation plan and budget to the Superintendent no later than  
5 ~~April 3~~ *September 2, 2008.*

6 (b) The five-year plan of the school should reflect a set of  
7 strategies and benchmarks specific to that high school.

8 ~~(c) A school district may apply on behalf of eligible schools in  
9 its jurisdiction to the Superintendent for the award of a grant  
10 pursuant to this part. The application of a school district on behalf  
11 of some or all of its eligible schools shall include a plan and budget  
12 developed for each of those schools by the district. If grants are  
13 awarded pursuant to the application of a school district, the district  
14 shall receive the funds as a lump sum and shall be responsible for  
15 the appropriate distribution of those funds to the schools.~~

16 ~~(d)~~

17 (c) (1) The Superintendent shall select no more than 100  
18 ~~comprehensive~~ high schools for participation in, and funding  
19 pursuant to, the program after the approval of the five-year plan  
20 and budget for each of those schools.

21 (2) Priority for selection of the schools to participate in the  
22 program shall be given to high schools based upon ~~their differential  
23 needs, as measured by the proportion of college preparatory and  
24 career technical education courses offered out of the total courses  
25 offered, the proportion of college preparatory and career technical  
26 education courses that are taught by teachers with the credentials  
27 and subject matter certification for the courses they teach out of  
28 the total courses offered, and the quality of the five-year plan of  
29 the school submitted to the Superintendent.~~

30 (3) *A high quality five-year plan, in addition to addressing other  
31 school-identified needs, would address plans for all of the  
32 following, where applicable:*

33 (A) *Providing additional college preparatory courses or career  
34 technical education courses, or both.*

35 (B) *Offering professional development to teachers.*

36 (C) *Establishing a support system for college preparatory and  
37 career technical education course teachers at individual high  
38 schools to ensure the implementation of engaging, quality  
39 curriculum and instructional methods. The support system may  
40 include use of a mentor teacher, time away from teaching duties*

1 *for a mentor or lead teacher to observe and consult with other*  
 2 *teachers, and ongoing staff development for teams of teachers.*

3 *(D) Establishing incentives to recruit and support highly trained*  
 4 *teachers.*

5 *(E) Providing career exploration activities, career guidance,*  
 6 *mentoring, and work-based learning opportunities to help pupils*  
 7 *consider their postsecondary education and career goals.*

8 *(F) Partnering with feeder middle schools to ensure that they*  
 9 *provide prealgebra and algebra classes to all interested grade 8*  
 10 *pupils, first-year foreign language courses to all interested grade*  
 11 *7 pupils, and career exploration activities to all interested pupils*  
 12 *in grades 7 and 8.*

13 53104. (a) From funds made available for purposes of this  
 14 part, the Superintendent shall allocate a total of one hundred dollars  
 15 (\$100) per pupil, to each school selected for participation in the  
 16 program pursuant to Section 53103 for implementation of the  
 17 five-year plan of the school. However, it is the intent of the  
 18 Legislature that no more than twenty-five million dollars  
 19 (\$25,000,000) be appropriated for purposes of these grants during  
 20 a fiscal year.

21 (b) ~~(4)~~ Funds awarded pursuant to this chapter shall be used  
 22 by the recipient school at its schoolsite to provide academic  
 23 assistance and services to pupils necessary to do any of the  
 24 following:

25 ~~(A)~~

26 *(1) Prepare pupils for the rigors of college preparatory and*  
 27 *career technical education courses, including by providing relevant*  
 28 *professional development for teachers and additional instructional*  
 29 *time.*

30 ~~(B)~~

31 *(2) Increase the access of pupils to college preparatory and*  
 32 *career technical education courses, including by offering greater*  
 33 *numbers of these courses, and the success of pupils in those*  
 34 *courses. To the extent feasible, new course offerings shall utilize*  
 35 *courses that integrate college preparatory content and career*  
 36 *technical education and learning strategies that include the*  
 37 *application of coursework to career settings in order to engage*  
 38 *and motivate pupils with relevant learning experiences.*

39 ~~(C)~~

1 (3) Inform pupils about the benefits of, and requirements for,  
2 enrollment in college preparatory and career technical education  
3 courses.

4 ~~(D) Increase the enrollment of graduates of the school in two-~~  
5 ~~and four-year institutions of postsecondary education.~~

6 ~~(2) The funds awarded pursuant to this chapter also may be used~~  
7 ~~for any of the following:~~

8 ~~(A) Teacher and counselor recruitment.~~

9 ~~(B) The integration of the curriculum, so that the content~~  
10 ~~includes a blend of college preparatory and career technical~~  
11 ~~education courses.~~

12 ~~(C) Professional development and training geared toward~~  
13 ~~enabling school professionals to teach and advise pupils currently~~  
14 ~~underrepresented in the California public institutions of~~  
15 ~~postsecondary education.~~

16 (c) Funds awarded pursuant to this part shall not be used as a  
17 required local contribution for any other state-funded outreach,  
18 academic achievement, or college preparation program.

19 (d) (1) The office of the Secretary for Education shall seek  
20 private partners to match state funding. The ~~Fair Competition for~~  
21 ~~College and Career Opportunity~~ Fund is hereby established in the  
22 State Treasury to receive these funds. The Superintendent shall be  
23 responsible for the administration of the fund and the distribution  
24 of the funds to program participants consistent with the purposes  
25 of this program.

26 (2) It is the intent of the Legislature that schools and school  
27 districts also will seek private partners to assist in the  
28 implementation of school and district efforts pursuant to  
29 participation in the program.

30 ~~53105. From May to August 2008, inclusive, a high school~~  
31 ~~selected for participation in the program shall do both of the~~  
32 ~~following:~~

33 ~~(a) Develop a detailed needs assessment and action plan for~~  
34 ~~implementation of the program in conjunction with the~~  
35 ~~Superintendent and members of the school community.~~

36 ~~(b) Hold at least two public meetings to explain the program,~~  
37 ~~including its benefits and its requirements, to members of the~~  
38 ~~school community, and to solicit implementation suggestions.~~

39 ~~53106. Funds received by schools pursuant to this chapter may~~  
40 ~~be used for any of the following activities:~~

1 ~~(a) Providing at least two additional college preparatory course~~  
2 ~~offerings per academic year, including at least one each in~~  
3 ~~mathematics in the first two years of participation in the program,~~  
4 ~~until at least 67 percent of the total courses offered by the school~~  
5 ~~qualify as college preparatory courses. To the extent feasible, new~~  
6 ~~course offerings shall utilize courses that integrate college~~  
7 ~~preparatory content and career technical education and learning~~  
8 ~~strategies that include the application of coursework to career~~  
9 ~~settings in order to engage and motivate pupils with relevant~~  
10 ~~learning experiences.~~

11 ~~(b) Providing funding to teachers to attend training seminars,~~  
12 ~~including, but not limited to, summer institutes and weekend~~  
13 ~~workshops on curricular integration; applied teaching and learning~~  
14 ~~strategies, such as project-based learning; the assessment of the~~  
15 ~~substantive knowledge of pupils other than through traditional~~  
16 ~~grading; and other pedagogical methods intended to help pupils~~  
17 ~~access and succeed in college preparatory coursework.~~

18 ~~(c) Establishing a support system for college preparatory and~~  
19 ~~career technical education course teachers at individual high~~  
20 ~~schools to ensure the implementation of engaging, quality~~  
21 ~~curriculum and instructional methods. The support system may~~  
22 ~~include use of a mentor teacher, time away from teaching duties~~  
23 ~~for a mentor or lead teacher to observe and consult with other~~  
24 ~~teachers, and ongoing staff development for teams of teachers.~~

25 ~~(d) Employing additional teachers and establishing incentives~~  
26 ~~and inducements to recruit and support highly trained teachers of~~  
27 ~~schools with low college preparatory and career technical education~~  
28 ~~course offerings.~~

29 ~~(e) Establishing a policy requiring teachers to teach both college~~  
30 ~~preparatory and career technical education courses. This policy~~  
31 ~~shall be designed to broaden the pool of teachers, foster a culture~~  
32 ~~of rigorous curricular integration between college preparatory and~~  
33 ~~career technical education courses, and allow teachers to cultivate~~  
34 ~~a pipeline of potential pupils for future program activities.~~

35 ~~(f) Establishing a policy of assigning teachers to teach courses~~  
36 ~~for which they hold the appropriate subject matter credential.~~

37 ~~(g) Establishing training of counselors and administrators to~~  
38 ~~provide additional support and mentoring to pupils and to promote~~  
39 ~~a culture of college and career preparation by holding bimonthly~~  
40 ~~meetings to discuss with pupils and their parents academic planning~~

1 for access to, and success in, postsecondary education programs,  
2 including advice on courses needed for admission to the California  
3 public institutions of postsecondary education, standardized  
4 admission tests, and financial aid. Additional training may focus  
5 on advising parents of the importance of investing for  
6 postsecondary education for their children.

7 (h) Establishing parent seminars to offer parents the opportunity  
8 to learn about, and understand the benefits of, college access, career  
9 opportunities, and options for paying for further education and  
10 training for their children.

11 (i) Establishing instructional support and assistance programs  
12 for pupils who are in or are entering high school to aid them in  
13 meeting the challenges related to achieving future education and  
14 career goals by doing any of the following:

15 (1) Creating pupil support through advisory tutoring and after  
16 school and college preparatory classes.

17 (2) Providing high school pupils who need additional academic  
18 support for successful participation in college preparatory courses  
19 with backup courses scheduled during the regular schoolday or  
20 after school, such as courses that provide additional instruction on  
21 the same content provided in other courses or block scheduling.

22 (3) Extending the schoolday, school year, or school week, to  
23 weekends, to provide additional academic support.

24 (4) Providing pupils who will enter high school during the next  
25 school year and pupils already in high school who are lacking the  
26 academic preparation to succeed in college preparatory courses,  
27 with summer bridge classes to prepare them for those courses.  
28 These summer classes shall be designed to help pupils develop  
29 basic academic competencies for the content they will be expected  
30 to learn during the next academic year.

31 (5) Providing career exploration activities, career guidance,  
32 mentoring, and work-based learning opportunities to help pupils  
33 consider their postsecondary education and career goals.

34 (j) Partnering with feeder middle schools to ensure that they  
35 provide prealgebra and algebra classes to all interested grade 8  
36 pupils, first-year foreign language courses to all interested grade  
37 7 pupils, and career exploration activities to all interested pupils  
38 in grades 7 and 8.

39 (k) For hard-to-staff schools, establishing partnerships with  
40 local community colleges or universities to enable high school

1 pupils to enroll concurrently in college courses that meet college  
2 admission requirements.

3 ~~(l) For hard-to-staff schools, establishing partnerships with local  
4 community colleges to assign community college instructors to  
5 those hard-to-staff high schools.~~

6 ~~(m) Establishing mentoring programs sponsored by interested  
7 university and industry partners to assist teachers and pupils.~~

8 ~~(n) Providing or maintaining science laboratories and technical  
9 facilities sufficiently equipped and in good working order for all  
10 science-related courses.~~

11 ~~(o) Funding the purchase of technology such as hardware,  
12 software, and the connectivity to use distance learning and  
13 computer-based curricula.~~

14 ~~53107. (a) As a condition of receiving funds pursuant to this  
15 part, a high school shall do all of the following:~~

16 ~~(1) Design and submit, no later than September 1, 2008, a  
17 comprehensive needs assessment, including rigorous annual  
18 benchmarks, in each of the following categories:~~

19 ~~(A) College preparatory and career technical education curricular  
20 offerings, including, but not limited to, a detailed analysis of the  
21 current school course matrix, including the availability of career  
22 technical education courses, upper-level courses, and advanced  
23 placement and International Baccalaureate courses.~~

24 ~~(B) The percentage of pupils who have completed, with a grade  
25 of C or higher, at least eight courses that meet requirements for  
26 admission to the California institutions of postsecondary education  
27 by the end of grade 10.~~

28 ~~(C) The percentage of pupils who have completed, with a grade  
29 of C or higher, the entire sequence of at least 15 courses that satisfy  
30 the requirements for admission to the California institutions of  
31 postsecondary education, following the pattern specified by the  
32 University of California among seven subject areas, by the end of  
33 grade 12.~~

34 ~~(D) The percentage of pupils who have completed a sequence  
35 of at least four career technical courses by the end of grade 12.~~

36 ~~(E) The availability of teachers who hold a credential, or subject  
37 matter certification, in the same subject matter taught by that  
38 teacher in the career technical education or college preparatory  
39 course areas.~~

- 1     ~~(F) The quality and availability of a college and career~~  
2 ~~counseling program, including all of the following:~~  
3     ~~(i) The number of pupils who apply for financial aid for~~  
4 ~~postsecondary education.~~  
5     ~~(ii) The number of pupils who apply to a four-year institution~~  
6 ~~of postsecondary education.~~  
7     ~~(iii) The number of pupils who participated in the Eligibility in~~  
8 ~~the Local Context program of the University of California for~~  
9 ~~admission to the University of California.~~  
10    ~~(iv) The number of pupils who apply for apprenticeship~~  
11 ~~programs.~~  
12    ~~(G) The availability of college admission test preparation~~  
13 ~~programs and the provision of information on college admission~~  
14 ~~tests and the availability of industry skill certificates.~~  
15    ~~(H) The percentage of pupils who took the tests generally~~  
16 ~~required for college admission.~~  
17    ~~(2) (A) Implement a plan that will result in its pupils having~~  
18 ~~access, no later than the beginning of the 2008–09 school year, to~~  
19 ~~at least two additional college preparatory and one additional career~~  
20 ~~technical education course offerings, including at least one~~  
21 ~~additional course in upper-level mathematics.~~  
22    ~~(B) The plan shall provide for additional sections of courses to~~  
23 ~~be added annually until at least 67 percent of the total academic~~  
24 ~~course offerings of the school are college preparatory courses~~  
25 ~~pursuant to the five-year plan.~~  
26    ~~(3) (A) Design and implement a plan that will result in its pupils~~  
27 ~~having access, no later than the beginning of the 2008–09 academic~~  
28 ~~year, to at least 80 percent of all college preparatory and career~~  
29 ~~technical education courses being taught by teachers holding the~~  
30 ~~appropriate credentials and subject matter certification by the end~~  
31 ~~of the third year of implementation of the five-year plan.~~  
32    ~~(B) The plan shall provide for additional numbers of courses to~~  
33 ~~be taught by teachers holding the appropriate credentials and~~  
34 ~~subject matter certification annually until all of the college~~  
35 ~~preparatory course offerings of the school are taught by fully~~  
36 ~~credentialed or subject matter trained teachers at the end of the~~  
37 ~~implementation of the five-year plan.~~  
38    ~~(4) Develop the plans pursuant to paragraphs (2) and (3)~~  
39 ~~collaboratively among the high school, its feeder middle schools,~~  
40 ~~and, where appropriate, any partner institutions of postsecondary~~

1 education, industry associations, or community-based  
2 organizations.

3 (5) Utilize at least two of the tutoring and instructional support  
4 services described in subdivision (i) of Section 53106, or provided  
5 under University of California outreach programs and other  
6 state-approved college preparatory programs.

7 (b) A participating school shall assign each pupil, upon entry  
8 into high school, with a unique pupil identifier to track his or her  
9 coursework, grades, completion of college preparatory courses  
10 satisfying the curricular requirements for admission to the  
11 University of California and the California State University,  
12 graduation, receipt of any state scholarships or grants, and  
13 matriculation to a public university or community college.

14 (c) A participating school shall encourage pupils to utilize  
15 distance learning options for pathway course offerings, where  
16 appropriate.

17 (d) A participating school that achieves the annual improvement  
18 targets contained in its five-year plan shall publish, in paper and  
19 online, an annual report on its best practices to aid other grant  
20 recipient schools and inform the general public. This report shall  
21 include the goals, implementation plan, strategies, and results of  
22 the participation of the school in the program.

23 *53105. A participating school that achieves the annual*  
24 *improvement targets contained in its five-year plan shall publish,*  
25 *in paper and online, an annual report on its best practices to aid*  
26 *other grant recipient schools and inform the general public. This*  
27 *report shall include the goals, implementation plan, strategies,*  
28 *and results of the participation of the school in the program.*

29 ~~53108.~~

30 53106. (a) The governing board of the school district of a  
31 school that fails to meet its annual growth targets, as defined in  
32 the five-year plan of the school, within 12 months following receipt  
33 of funding pursuant to this chapter shall invite public comment at  
34 a regularly scheduled board meeting to inform members of the  
35 school community of the lack of progress in terms of any of the  
36 following that apply:

37 (1) The percentage of course offerings that are career technical  
38 education courses and college preparatory courses.

1 (2) The percentage of teachers with the appropriate credentials  
2 and subject matter certification assigned to those courses described  
3 in paragraph (1).

4 (3) The percentage of pupils who entered the school in grade 9  
5 and later graduated having completed the college preparatory and  
6 career technical course sequences with a C average or better.

7 (4) Any reasons for the lack of progress.

8 (b) The governing board of the school district shall, upon  
9 consultation with an external evaluator and schoolsite and  
10 community team, choose from a range of interventions for the  
11 school, including reassignment of school personnel to the extent  
12 authorized by law, or other changes deemed appropriate, in order  
13 to continue implementing the action plan of the school and to make  
14 progress toward meeting the improvement targets of the school  
15 established in its five-year plan.

16 ~~53109.~~

17 ~~53107.~~ (a) The Superintendent shall contract for an  
18 independent evaluation of the effectiveness of the program and  
19 report ~~its~~ *the* findings to the Governor and the Legislature on or  
20 before August 1, 2010.

21 (b) This report shall detail, by individual participating high  
22 school, all of the following:

23 (1) The percentage of course offerings that are college  
24 preparatory or career technical education courses.

25 (2) The percentage of teachers who hold the proper credentials  
26 and subject matter certifications for the college preparatory or  
27 career technical education courses, or both, that they teach.

28 (3) The percentage of pupils who entered the school in grade 9  
29 and graduated four years later having completed the college  
30 preparatory and career technical course sequences with a C average  
31 or better.

32 (4) The number of pupils who satisfied the requirements for  
33 admission to the University of California and the California State  
34 University.

35 (5) The number of pupils who entered the school in grade 9 and  
36 later matriculated to a two- or four-year university or college or  
37 apprenticeship program.

38 (6) Reasons for progress, or lack thereof, as stated by the  
39 principal of each participating high school or a member of the  
40 governing board of the school district of a participating high school.

1 (c) The Legislature shall use this report to determine the  
2 advisability of extending the program or increasing funding for  
3 this program to include new schools and continue funding for  
4 existing pilot schools.

5 ~~53110.~~

6 ~~53108.~~ This chapter shall remain in effect only until January  
7 1, 2014, and as of that date is repealed, unless a later enacted  
8 statute, that is enacted before January 1, 2014, deletes or extends  
9 that date.

10 ~~SEC. 12.~~

11 *SEC. 11.* Section 66204 of the Education Code is amended to  
12 read:

13 66204. (a) The Superintendent shall assist all school districts  
14 to ensure that all public high school pupils have access to a core  
15 curriculum that meets the admission requirements of the University  
16 of California and the California State University. The  
17 Superintendent shall advise school districts that maintain high  
18 schools about the importance of making readily available to each  
19 high school pupil the current list of courses offered by the school  
20 attended by that pupil that are certified by the University of  
21 California as meeting admission requirements. It is the intent of  
22 the Legislature that each public high school shall provide the full  
23 college preparatory program, provide adequate course sections in  
24 college preparatory programs to accommodate all its pupils, and  
25 regularly counsel pupils to enter those programs and courses. There  
26 shall be no policy or practice in a public elementary or secondary  
27 school of directing, especially for cultural or linguistic reasons, a  
28 pupil in kindergarten or any of grades 1 to 12, inclusive, away  
29 from choosing programs that prepare that pupil academically for  
30 college.

31 (b) To the extent that funds are appropriated for purposes of  
32 this paragraph, the Superintendent shall annually present a report  
33 to the state board describing the status of compliance with Section  
34 51228 for all school districts that offer middle or high school  
35 instruction in which any middle or high schools are ranked in  
36 deciles 1 to 3, inclusive, of the 2003 base Academic Performance  
37 Index, as defined in subdivision (b) of Section 17592.70.

38 (c) For a school district the Superintendent identifies as having  
39 failed to ensure that all eligible high school pupils have access to  
40 a core curriculum that meets the requirements for admission to the

1 California public institutions of postsecondary education and career  
2 preparation needs, as defined in Section 51228, the Superintendent  
3 shall prepare an annual report for the Legislature by July 1 of each  
4 year that specifically defines and documents the areas of  
5 noncompliance.

6 (d) The University of California is requested to assist each  
7 school district that maintains a high school in order to ensure all  
8 of the following:

9 (1) School districts understand the process by which courses  
10 are submitted to the University of California to be reviewed and  
11 certified as meeting the requirements for admission.

12 (2) School districts have an internal process for developing  
13 courses and submitting courses for review and certification by the  
14 University of California in order to meet admission requirement  
15 criteria.

16 (3) School districts maintain accurate lists of courses that are  
17 currently offered by the high schools and are certified by the  
18 University of California as meeting admission requirement criteria.

19 (4) Updated lists described in paragraph (3) are readily made  
20 available by the school districts to each high school pupil and a  
21 copy of that list is annually provided to each high school pupil.

22 (e) It is the intent of the Legislature that the public and  
23 independent institutions of higher education participate in programs  
24 that assist those in elementary and secondary education in meeting  
25 their responsibilities in preparing pupils for college.

26 ~~SEC. 13.~~

27 *SEC. 12.* If the Commission on State Mandates determines that  
28 this act contains costs mandated by the state, reimbursement to  
29 local agencies and school districts for those costs shall be made  
30 pursuant to Part 7 (commencing with Section 17500) of Division  
31 4 of Title 2 of the Government Code.