

AMENDED IN SENATE JUNE 4, 2007
AMENDED IN SENATE MAY 15, 2007
AMENDED IN SENATE MAY 2, 2007
AMENDED IN SENATE APRIL 10, 2007

SENATE BILL

No. 405

Introduced by Senator Steinberg
(Coauthor: Assembly Member Nunez)

February 21, 2007

An act to amend Sections 1240, 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 College and Career Opportunity Program, to be administered by the Superintendent of Public Instruction. The Superintendent would be required to invite 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 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 review of, and specified reporting on, 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 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 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.

(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.

(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 is aligned with the career technical education curriculum framework adopted by the ~~State Board of Education~~ *state board*.

~~(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.~~

~~(7)~~

(6) 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.

~~(8)~~

(7) 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. This act shall be known, and may be cited, as the
2 College and Career Opportunity Act.

3 SEC. 2. Section 1240 of the Education Code is amended to
4 read:

5 1240. The county superintendent of schools shall do all of the
6 following:

7 (a) Superintend the schools of his or her county.

8 (b) Maintain responsibility for the fiscal oversight of each school
9 district in his or her county pursuant to the authority granted by
10 this code.

11 (c) (1) Visit and examine each school in his or her county at
12 reasonable intervals to observe its operation and to learn of its
13 problems. He or she may annually present a report of the state of
14 the schools in his or her county, and of his or her office, including,
15 but not limited to, his or her observations while visiting the schools,
16 to the board of education and the board of supervisors of his or
17 her county.

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

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

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

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

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

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

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

33 (C) The department shall estimate an API score for any school
34 meeting the criteria of subclauses (I) and (II) of clause (i) of
35 subparagraph (B) and not meeting the criteria of subclause (III)
36 of clause (i) of subparagraph (B), using available testing scores
37 and any weighting or corrective factors it deems appropriate. The
38 department shall post the API scores on its Internet Web site on
39 or before May 1.

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

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

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

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

35 (F) The county superintendent of the Counties of Alpine,
36 Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City
37 and County of San Francisco shall contract with another county
38 office of education or an independent auditor to conduct the
39 required visits and make all reports required by this paragraph.

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

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

14 (i) Minimize disruption to the operation of the school.

15 (ii) Be performed by individuals who meet the requirements of
16 Section 45125.1.

17 (iii) Consist of not less than 25 percent unannounced visits in
18 each county. During unannounced visits in each county, the county
19 superintendent shall not demand access to documents or specific
20 school personnel. Unannounced visits shall only be used to observe
21 the condition of school repair and maintenance, and the sufficiency
22 of instructional materials, as defined by Section 60119.

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

26 (i) Sufficient textbooks as defined in Section 60119 and as
27 specified in subdivision (i).

28 (ii) The condition of a facility that poses an emergency or urgent
29 threat to the health or safety of pupils or staff as defined in district
30 policy or paragraph (1) of subdivision (c) of Section 17592.72.

31 (iii) The accuracy of data reported on the school accountability
32 report card with respect to the availability of sufficient textbooks
33 and instructional materials, as defined by Section 60119, and the
34 safety, cleanliness, and adequacy of school facilities, including
35 good repair as required by Sections 17014, 17032.5, 17070.75,
36 and 17089.

37 (J) The county superintendent may make the status
38 determinations described in subparagraph (I) during a single visit
39 or multiple visits. In determining whether to make a single visit
40 or multiple visits for this purpose, the county superintendent shall

1 take into consideration factors such as cost-effectiveness, disruption
2 to the schoolsite, deadlines, and the availability of qualified
3 reviewers.

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

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

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

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

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

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

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

38 (h) Enforce the course of study.

39 (i) (1) Enforce the use of state textbooks and instructional
40 materials and of high school textbooks and instructional materials

1 regularly adopted by the proper authority in accordance with
2 Section 51050.

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

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

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

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

36 (4) If the county superintendent determines that a school does
37 not have sufficient textbooks or instructional materials in
38 accordance with subparagraph (A) of paragraph (1) of subdivision
39 (a) of Section 60119 and as defined by subdivision (c) of Section
40 60119, the county superintendent shall do all of the following:

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

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

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

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

37 (j) (1) (A) Review the availability to all otherwise qualified
38 pupils in grades 7 to 12, inclusive, of a course of study fulfilling
39 the requirements and prerequisites for admission to the California
40 public institutions of postsecondary education, in accordance with

1 Section 51228, at a school ranked in any of deciles 1 to 3, inclusive,
2 of the API and report on that availability to the school district that
3 has jurisdiction over that school and to the Superintendent.

4 (B) For purposes of this subdivision, availability to all otherwise
5 qualified pupils has the same meaning as in subdivision (a) of
6 Section 51228.

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

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

16 (i) Provision of sufficient courses in high schools that are
17 certified by the University of California as meeting the
18 requirements for admission to the University of California and the
19 California State University in a manner that every otherwise
20 qualified pupil is able to access in the sequence of introductory
21 and then advanced courses recommended by the University of
22 California and the California State University, as applicable.

23 (ii) Assignment of teachers who hold a credential and subject
24 matter certification in the subject matter in which they teach, to
25 courses that are certified by the University of California as meeting
26 the requirements for admission to the University of California and
27 the California State University.

28 (iii) Provision of instructional support sufficient for pupils
29 enrolled in courses that are certified by the University of California
30 as meeting the requirements for admission to the University of
31 California and the California State University to be able to achieve
32 a grade of C or better in the courses.

33 (iv) Assignment within middle schools of pupils to prealgebra
34 or higher level mathematics courses and foreign language courses
35 that are certified by the University of California as meeting the
36 requirements for admission to the University of California and the
37 California State University.

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

1 (i) Developing and reporting on a plan, including benchmarks,
2 for increased availability of courses that are certified by the
3 University of California as meeting the requirements for admission
4 to the University of California and the California State University
5 to achieve compliance with Section 51228, including modifications
6 to core academic courses to integrate career technical education
7 and learning strategies that include the application of coursework
8 to career settings.

9 (ii) Offering management assistance and counselor in-service
10 training to ensure that otherwise eligible middle and high school
11 pupils are able to enroll in courses that are certified by the
12 University of California as meeting the requirements for admission
13 to the University of California and the California State University.

14 (iii) Recommending use of a personnel management assistance
15 team, as defined in Section 44740, to assist the school and school
16 district in increasing the numbers of teachers who hold a credential
17 and subject matter certification in the subject matter of the courses
18 they teach that are certified by the University of California as
19 meeting the requirements for admission to the University of
20 California and the California State University, and to encourage
21 the district to apply for professional development funding,
22 consistent, for example, with Section 99234, to allow teachers who
23 do not hold either a credential or a subject matter certification in
24 the subjects they teach to advance their training and obtain the
25 proper credentials and subject matter certifications.

26 (iv) Developing and reporting on a plan, including benchmarks,
27 for availability or increased availability of instructional support,
28 and if the enrollment of pupils whose first language is not English,
29 including both English language learners and pupils who have
30 been reclassified as proficient in English, in the school exceeds
31 25 percent, recommending classes designed to enable native
32 speakers of other languages to meet the foreign language
33 requirements for admission to the University of California and the
34 California State University.

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

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

38 (A) The first report shall cover the financial and budgetary status
39 of the county office of education for the period ending October
40 31. The second report shall cover the period ending January 31.

1 Both reports shall be reviewed by the county board of education
2 and approved by the county superintendent of schools no later than
3 45 days after the close of the period being reported.

4 (B) As part of each report, the county superintendent shall certify
5 in writing whether or not the county office of education is able to
6 meet its financial obligations for the remainder of the fiscal year
7 and, based on current forecasts, for two subsequent fiscal years.
8 The certifications shall be classified as positive, qualified, or
9 negative, pursuant to standards prescribed by the Superintendent,
10 for the purposes of determining subsequent state agency actions
11 pursuant to Section 1240.1. For purposes of this subdivision, a
12 negative certification shall be assigned to any county office of
13 education that, based upon current projections, will not meet its
14 financial obligations for the remainder of the fiscal year or for the
15 subsequent fiscal year. A qualified certification shall be assigned
16 to any county office of education that may not meet its financial
17 obligations for the current fiscal year or two subsequent fiscal
18 years. A positive certification shall be assigned to any county office
19 of education that will meet its financial obligations for the current
20 fiscal year and subsequent two fiscal years. In accordance with
21 those standards, the Superintendent may reclassify any certification.
22 If a county office of education receives a negative certification,
23 the Superintendent, or his or her designee, may exercise the
24 authority set forth in subdivision (c) of Section 1630. Copies of
25 each certification, and of the report containing that certification,
26 shall be sent to the Superintendent at the time the certification is
27 submitted to the county board of education. Copies of each
28 qualified or negative certification and the report containing that
29 certification shall be sent to the Controller at the time the
30 certification is submitted to the county board of education.

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

37 (3) This subdivision does not preclude the submission of
38 additional budgetary or financial reports by the county
39 superintendent to the county board of education or to the
40 Superintendent.

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

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

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

11 (o) For purposes of Section 44421.5, report to the Commission
12 on Teacher Credentialing the identity of any certificated person
13 who knowingly and willingly reports false fiscal expenditure data
14 relative to the conduct of any educational program. This
15 requirement applies only if, in the course of his or her normal
16 duties, the county superintendent of schools discovers information
17 that gives him or her reasonable cause to believe that false fiscal
18 expenditure data relative to the conduct of any educational program
19 has been reported.

20 SEC. 3. Section 51224 of the Education Code is amended to
21 read:

22 51224. The governing board of a school district maintaining
23 a high school shall prescribe courses of study designed to provide
24 the skills and knowledge required for adult life for pupils attending
25 the schools within its school district. The governing board shall
26 prescribe courses of study, including, but not limited to, study
27 designed to prepare prospective pupils for admission to state
28 colleges and universities and study designed to prepare a pupil for
29 work through career technical education training.

30 SEC. 4. Section 51228 of the Education Code is amended to
31 read:

32 51228. (a) (1) A school district maintaining any of grades 7
33 to 12, inclusive, shall offer to all otherwise qualified pupils in those
34 grades a course of study fulfilling the requirements and
35 prerequisites for admission to the California public institutions of
36 postsecondary education and shall provide a timely opportunity
37 to each of those pupils to enroll within a four-year period in each
38 course necessary to fulfill those requirements and prerequisites
39 prior to graduation from high school.

1 (2) (A) A school district shall be deemed to have fulfilled its
2 responsibilities pursuant to paragraph (1) if it, at each school in
3 the district offering grade 7 or 8, or both, offers instructional
4 support for pupils in that grade or those grades who are at risk of
5 failing to complete courses that are certified by the University of
6 California as meeting the requirements for admission to the
7 University of California and the California State University in the
8 sequence of introductory and then advanced courses recommended
9 by the University of California and the California State University,
10 as applicable.

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

14 (i) Offers sufficient courses that are certified by the University
15 of California as meeting the requirements for admission to the
16 University of California and the California State University and
17 are taught by teachers who hold credentials in the subject matter
18 of the courses that they teach in numbers and at times that allow
19 all pupils to take those courses in the sequence of introductory and
20 then advanced courses recommended by the University of
21 California and the California State University, as applicable, except
22 if pupils have not completed, with a passing grade or better, any
23 prerequisite coursework.

24 (ii) Offers instructional support for pupils who struggle to, or
25 are at risk of failing to, complete courses that are certified by the
26 University of California as meeting the requirements for admission
27 to the University of California and the California State University
28 in the sequence of introductory and then advanced courses
29 recommended by the University of California and the California
30 State University, as applicable.

31 (b) A school district maintaining any of grades 7 to 12, inclusive,
32 shall offer to all otherwise qualified pupils in those grades a course
33 of study that provides an opportunity for those pupils to attain
34 entry-level employment skills in business or industry upon
35 graduation from high school. School districts are encouraged to
36 provide all pupils with a rigorous academic curriculum that
37 integrates academic and career skills, incorporates applied learning
38 in all disciplines, and prepares all pupils for high school graduation
39 and career entry.

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

5 (d) A school district that adopts a required curriculum pursuant
6 to subdivision (c) that meets or exceeds the model standards
7 developed by the state board pursuant to Section 51226, or that
8 adopts alternative means for pupils to complete the prescribed
9 course of study pursuant to subdivision (b) of Section 51225.3,
10 may substitute pupil demonstration of competence in the prescribed
11 subjects through a practical demonstration of these skills in a
12 regional occupational center or program, work experience,
13 interdisciplinary study, independent study, credit earned at a
14 postsecondary institution, or other outside school experience, as
15 prescribed by subdivision (b) of Section 51225.3.

16 SEC. 5. Section 52052 of the Education Code is amended to
17 read:

18 52052. (a) (1) The Superintendent, with approval of the state
19 board, shall develop an Academic Performance Index (API), to
20 measure the performance of schools, especially the academic
21 performance of pupils.

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

- 25 (A) Ethnic subgroups.
- 26 (B) Socioeconomically disadvantaged pupils.
- 27 (C) English language learners.
- 28 (D) Pupils with disabilities.

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

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

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

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

39 (C) For a school with an API score that is based on no fewer
40 than 11 and no more than 99 pupils with valid test scores,

1 numerically significant subgroups shall be defined by the
2 Superintendent, with approval by the state board.

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

5 (i) The results of the achievement test administered pursuant to
6 Section 60640.

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

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

10 (iv) For high schools:

11 (I) Of the pupils who enrolled in a course certified by the
12 University of California as meeting the requirements for admission
13 to the University of California and the California State University,
14 the percentage of those pupils who completed that course and
15 earned a grade of C or better.

16 (II) Of the pupils who enrolled in a course satisfying the
17 California Career Technical Education Model Curriculum
18 Standards, also known as the career technical education content
19 standards adopted by the state board, the percentage of those pupils
20 who completed that course and earned a grade of C or better.

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

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

27 (ii) The number of pupils entering grade 9 for the first time in
28 the school year three school years prior to the current school year,
29 plus the number of pupils who transferred into the class graduating
30 at the end of the current school year between the school year that
31 was three school years prior to the current school year and the date
32 of graduation, less the number of pupils who transferred out of the
33 school between the school year that was three school years prior
34 to the current school year and the date of graduation who were
35 members of the class that is graduating at the end of the current
36 school year.

37 (C) The pupil data collected for the API that comes from the
38 achievement test administered pursuant to Sections 60640 and
39 60644 and the high school exit examination administered pursuant
40 to Section 60851, when fully implemented, shall be disaggregated

1 by special education status, English language learners,
2 socioeconomic status, gender and ethnic group. Only the test scores
3 of pupils who were counted as part of the enrollment in the annual
4 data collection of the California Basic Educational Data System
5 for the current fiscal year and who were continuously enrolled
6 during that year may be included in the test result reports in the
7 API score of the school. Results of the achievement test and other
8 tests specified in subdivision (b) shall constitute at least 60 percent
9 of the value of the index.

10 (D) Before including high school graduation rates and attendance
11 rates in the API, the Superintendent shall determine the extent to
12 which the data are currently reported to the state and the accuracy
13 of the data. Notwithstanding any other provision of law, graduation
14 rates for pupils in dropout recovery high schools shall not be
15 included in the API. For purposes of this subparagraph, “dropout
16 recovery high school” means a high school in which 50 percent
17 or more of its pupils have been designated as dropouts pursuant
18 to the exit/withdrawal codes developed by the department.

19 (E) The Superintendent shall provide an annual report to the
20 Legislature on the graduation and dropout rates in California and
21 shall make the same report available to the public. The report shall
22 be accompanied by the release of publicly accessible data for each
23 school district and school in a manner that provides for
24 disaggregation based upon socioeconomically disadvantaged pupils
25 and numerically significant subgroups scoring below average on
26 statewide standards-aligned assessments. In addition, the data shall
27 be made available in a manner that provides for comparisons of a
28 minimum of three years of data.

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

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

34 (2) The nationally normed test designated pursuant to Section
35 60642.

36 (3) The standards-based achievement tests provided for in
37 Section 60642.5.

38 (4) The high school exit examination.

39 (c) Based on the API, the Superintendent shall develop, and the
40 state board shall adopt, expected annual percentage growth targets

1 for all schools based on their API baseline score from the previous
2 year. Schools are expected to meet these growth targets through
3 effective allocation of available resources. For schools below the
4 statewide API performance target adopted by the state board
5 pursuant to subdivision (d), the minimum annual percentage growth
6 target shall be 5 percent of the difference between the actual API
7 score of a school and the statewide API performance target, or one
8 API point, whichever is greater. Schools at or above the statewide
9 API performance target shall have, as their growth target,
10 maintenance of their API score above the statewide API
11 performance target. However, the state board may set differential
12 growth targets based on grade level of instruction and may set
13 higher growth targets for the lowest performing schools because
14 they have the greatest room for improvement. To meet its growth
15 target, a school shall demonstrate that the annual growth in its API
16 is equal to or more than its schoolwide annual percentage growth
17 target and that all numerically significant pupil subgroups, as
18 defined in subdivision (a), are making comparable improvement.

19 (d) Upon adoption of state performance standards by the state
20 board, the Superintendent shall recommend, and the state board
21 shall adopt, a statewide API performance target that includes
22 consideration of performance standards and represents the
23 proficiency level required to meet the state performance target.
24 When the API is fully developed, schools must, at a minimum,
25 meet their annual API growth targets to be eligible for the
26 Governor's Performance Award Program as set forth in Section
27 52057. The state board may establish additional criteria that schools
28 must meet to be eligible for the Governor's Performance Award
29 Program.

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

31 (1) Measuring the progress of schools selected for participation
32 in the Immediate Intervention/Underperforming Schools Program
33 pursuant to Section 52053.

34 (2) Ranking all public schools in the state for the purpose of the
35 High Achieving/Improving Schools Program pursuant to Section
36 52056.

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

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

5 (A) Irregularities in testing procedures occurred.

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

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

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

12 (E) Insufficient pupil participation in the assessments included
13 in the API.

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

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

24 (h) The Superintendent, with the approval of the state board,
25 shall develop an alternative accountability system for schools under
26 the jurisdiction of a county board of education or a county
27 superintendent of schools, community day schools, nonpublic,
28 nonsectarian schools pursuant to Section 56366, and alternative
29 schools serving high-risk pupils, including continuation high
30 schools and opportunity schools. Schools in the alternative
31 accountability system may receive an API score, but shall not be
32 included in the API rankings.

33 SEC. 6. Section 52336 of the Education Code is amended to
34 read:

35 52336. (a) Any business, trade or professional association,
36 union, or state or local governmental agency operating within this
37 state may establish and operate, under the auspices of the local
38 school district, a career preparatory program within this state that
39 meets the requirements of this article.

1 (b) As part of a career preparatory program, an entity
2 establishing and operating the program shall develop and
3 implement a course of instruction for all pupils enrolled in the
4 program that is aligned with the career technical education
5 curriculum framework adopted by the state board.

6 (c) Subject to the development of the course of instruction
7 delineated in subdivision (b) and to continuing certification by the
8 department, an entity establishing and operating a career
9 preparatory program may propose and implement a program that
10 is designed to provide on-the-job training and instruction in specific
11 career technical skills to prepare pupils for future employment.

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

16 SEC. 7. Section 52336.1 of the Education Code is repealed.

17 ~~SEC. 8. Section 52378 of the Education Code is amended to~~
18 ~~read:~~

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

25 ~~(a) The program shall be adopted at a public meeting of the~~
26 ~~governing board of a school district and shall include all of the~~
27 ~~following:~~

28 ~~(1) A provision for individualized review of the academic and~~
29 ~~department records of the pupil.~~

30 ~~(2) A provision for individualized review of the career goals~~
31 ~~of, and the available academic and career technical education~~
32 ~~opportunities and community and workplace experiences available~~
33 ~~to, the pupil that may support the pursuit of the goals of the pupil.~~

34 ~~(3) A provision for a counselor to meet with each pupil and, if~~
35 ~~practicable, the parents or legal guardian of the pupil to explain~~
36 ~~the academic and department records of the pupil, his or her~~
37 ~~educational options, the coursework and academic progress needed~~
38 ~~for satisfactory completion of middle or high school, passage of~~
39 ~~the high school exit examination, and eligibility for admission to~~
40 ~~a four-year institution of postsecondary education, including the~~

1 University of California and the California State University, as
2 well as the availability of career technical education. The
3 educational options explained at the meeting shall, if services are
4 available, include the college preparatory program and career
5 technical education programs, including regional occupational
6 centers and programs and any other alternatives available to pupils
7 within the school district.

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

16 (1) Require a conference with, or a written report to, the parent
17 or legal guardian of a pupil whenever it becomes evident to a
18 counselor that the pupil is in danger of failing a course or at risk
19 of not meeting the curricular requirements for admission to the
20 University of California and the California State University.

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

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

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

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

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

10 ~~(A) Enrolling in an adult education program.~~

11 ~~(B) Enrolling in a community college.~~

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

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

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

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

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

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

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

5 ~~(1) Consequences of not passing the high school exit~~
6 ~~examination.~~

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

10 ~~(3) Cumulative records and transcripts of the pupil.~~

11 ~~(4) Performance on standardized and diagnostic assessments of~~
12 ~~the pupil.~~

13 ~~(5) Remediation strategies, high school courses, and alternative~~
14 ~~education options available to the pupil.~~

15 ~~(6) Information on postsecondary education and training.~~

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

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

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

25 ~~SEC. 9. Section 52380 of the Education Code is amended to~~
26 ~~read:~~

27 ~~52380. As a condition of receipt of funds pursuant to this~~
28 ~~chapter, a school district shall submit an annual report in a manner~~
29 ~~determined by the Superintendent that describes the number of~~
30 ~~pupils served, the number of school counselors involved in~~
31 ~~conferences, the number and percentage of pupils who participated~~
32 ~~in conferences and who successfully passed the high school exit~~
33 ~~examination and satisfied the requirements for admission to the~~
34 ~~University of California and the California State University, and~~
35 ~~the number and percentage of pupils who participated in~~
36 ~~conferences and who fail to pass one or both sections of the exit~~
37 ~~examination, and a summary of the most prevalent results for~~
38 ~~pupils based on the graduation plans developed pursuant to this~~
39 ~~chapter.~~

1 ~~SEC. 10.~~

2 *SEC. 8.* Chapter 18 (commencing with Section 53100) is added
3 to Part 28 of Division 4 of Title 2 of the Education Code, to read:

4

5 CHAPTER 18. COLLEGE AND CAREER OPPORTUNITY PILOT
6 PROGRAM

7

8 53100. The College and Career Opportunity Pilot Program is
9 hereby established and shall be administered by the Superintendent.

10 53101. For purposes of this chapter, the following terms have
11 the following meaning, unless the context requires otherwise:

12 (a) “Career technical education courses” means those sequences
13 of career technical education courses that are aligned to the career
14 technical education curriculum framework adopted by the state
15 board.

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

19 (c) “Program” means the College and Career Opportunity Pilot
20 Program established pursuant to this chapter.

21 53102. (a) The Superintendent shall identify high schools in
22 deciles 1 to 5, inclusive, of the Academic Performance Index (API)
23 that enroll 400 or more pupils and that meet both of the following
24 criteria:

25 (1) Fewer than 67 percent of the total courses offered by the
26 school qualify as college preparatory courses.

27 (2) Fewer than 80 percent of the college preparatory and career
28 technical education courses of the school are taught by teachers
29 who hold a credential or subject matter certification in the subject
30 matter of the course or courses they teach.

31 (b) By January 15, 2008, the Superintendent shall invite schools
32 identified pursuant to subdivision (a) to apply to participate in the
33 program.

34 53103. (a) A school invited to apply to participate in the
35 program pursuant to subdivision (b) of Section 53102 may apply
36 to participate in the program by submitting a five-year program
37 participation plan and budget to the Superintendent no later than
38 September 2, 2008.

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

1 (c) (1) The Superintendent shall select no more than 100 high
2 schools for participation in, and funding pursuant to, the program
3 after the approval of the five-year plan and budget for each of those
4 schools.

5 (2) Priority for selection of the schools to participate in the
6 program shall be given to high schools based upon the quality of
7 the five-year plan of the school submitted to the Superintendent.

8 (3) A high quality five-year plan, in addition to addressing other
9 school-identified needs, ~~would address~~ *addresses* plans for all of
10 the following, where applicable:

11 (A) Providing additional college preparatory courses or career
12 technical education courses, or both.

13 (B) Offering professional development to teachers.

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

21 (D) Establishing incentives to recruit and support highly trained
22 teachers.

23 (E) Providing career exploration activities, career guidance,
24 mentoring, and work-based learning opportunities to help pupils
25 consider their postsecondary education and career goals.

26 (F) Partnering with feeder middle schools to ensure that they
27 provide prealgebra and algebra classes to all interested grade 8
28 pupils, first-year foreign language courses to all interested grade
29 7 pupils, and career exploration activities to all interested pupils
30 in grades 7 and 8.

31 53104. (a) From funds made available for purposes of this
32 part, the Superintendent shall allocate a total of one hundred dollars
33 (\$100) per pupil, to each school selected for participation in the
34 program pursuant to Section 53103 for implementation of the
35 five-year plan of the school. However, it is the intent of the
36 Legislature that no more than twenty-five million dollars
37 (\$25,000,000) be appropriated for purposes of these grants during
38 a fiscal year.

1 (b) Funds awarded pursuant to this chapter shall be used by the
2 recipient school at its schoolsite to provide academic assistance
3 and services to pupils necessary to do any of the following:

4 (1) Prepare pupils for the rigors of college preparatory and career
5 technical education courses, including by providing relevant
6 professional development for teachers and additional instructional
7 time.

8 (2) Increase the access of pupils to college preparatory and
9 career technical education courses, including by offering greater
10 numbers of these courses, and the success of pupils in those
11 courses. To the extent feasible, new course offerings shall utilize
12 courses that integrate college preparatory content and career
13 technical education and learning strategies that include the
14 application of coursework to career settings in order to engage and
15 motivate pupils with relevant learning experiences.

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

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

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

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

32 53105. A participating school that achieves the annual
33 improvement targets contained in its five-year plan shall publish,
34 in paper and online, an annual report on its best practices to aid
35 other grant recipient schools and inform the general public. This
36 report shall include the goals, implementation plan, strategies, and
37 results of the participation of the school in the program.

38 53106. (a) The governing board of the school district of a
39 school that fails to meet its annual growth targets, as defined in
40 the five-year plan of the school, within 12 months following receipt

1 of funding pursuant to this chapter shall invite public comment at
2 a regularly scheduled board meeting to inform members of the
3 school community of the lack of progress in terms of any of the
4 following that apply:

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

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

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

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

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

22 53107. (a) The Superintendent shall contract for an
23 independent evaluation of the effectiveness of the program and
24 report the findings to the Governor and the Legislature on or before
25 August 1, 2010.

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

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

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

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

37 (4) The number of pupils who satisfied the requirements for
38 admission to the University of California and the California State
39 University.

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

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

7 (c) The Legislature shall use this report to determine the
8 advisability of extending the program or increasing funding for
9 this program to include new schools and continue funding for
10 existing pilot schools.

11 53108. This chapter shall remain in effect only until January
12 1, 2014, and as of that date is repealed, unless a later enacted
13 statute, that is enacted before January 1, 2014, deletes or extends
14 that date.

15 ~~SEC. 11.~~

16 *SEC. 9.* Section 66204 of the Education Code is amended to
17 read:

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

36 (b) To the extent that funds are appropriated for purposes of
37 this paragraph, the Superintendent shall annually present a report
38 to the state board describing the status of compliance with Section
39 51228 for all school districts that offer middle or high school
40 instruction in which any middle or high schools are ranked in

1 deciles 1 to 3, inclusive, of the 2003 base Academic Performance
2 Index, as defined in subdivision (b) of Section 17592.70.

3 (c) For a school district the Superintendent identifies as having
4 failed to ensure that all eligible high school pupils have access to
5 a core curriculum that meets the requirements for admission to the
6 California public institutions of postsecondary education and career
7 preparation needs, as defined in Section 51228, the Superintendent
8 shall prepare an annual report for the Legislature by July 1 of each
9 year that specifically defines and documents the areas of
10 noncompliance.

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

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

17 (2) School districts have an internal process for developing
18 courses and submitting courses for review and certification by the
19 University of California in order to meet admission requirement
20 criteria.

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

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

27 (e) It is the intent of the Legislature that the public and
28 independent institutions of higher education participate in programs
29 that assist those in elementary and secondary education in meeting
30 their responsibilities in preparing pupils for college.

31 ~~SEC. 12.~~

32 *SEC. 10.* If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.