

AMENDED IN ASSEMBLY JULY 18, 2007

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**

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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, 51224, 51228, ~~52052~~, 52336, 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 to a course of study that provides pupils with the skills necessary for entry-level employment upon graduation from high school* 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~~ *a school district maintaining any of grades 7 to 12, inclusive, to offer the career technical education course of study to all otherwise qualified pupils in those grades at each school in the district. The governing board of a school district would be required 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)~~

~~(4) 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.

~~(6)~~

~~(5) 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.

(7)

(6) 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,

1 to the governing board of each school district under his or her  
2 jurisdiction, the county board of education of his or her county,  
3 and the board of supervisors of his or her county describing the  
4 state of the schools in the county or of his or her office that are  
5 ranked in deciles 1 to 3, inclusive, of the 2003 base Academic  
6 Performance Index (API), as defined in subdivision (b) of Section  
7 17592.70, and shall include, among other things, his or her  
8 observations while visiting the schools and his or her  
9 determinations for each school regarding the status of all of the  
10 circumstances listed in subparagraph (I) and teacher  
11 misassignments and teacher vacancies. As a condition for receipt  
12 of funds, the county superintendent, or his or her designee, shall  
13 use a standardized template to report the circumstances listed in  
14 subparagraph (I) and teacher misassignments and teacher vacancies,  
15 unless the current annual report being used by the county  
16 superintendent, or his or her designee, already includes those details  
17 for each school.

18 (B) Commencing with the 2007–08 fiscal year, to the extent  
19 that funds are appropriated for purposes of this paragraph, the  
20 county superintendent, or his or her designee, shall annually submit  
21 a report, at a regularly scheduled November board meeting, to the  
22 governing board of each school district under his or her jurisdiction,  
23 the county board of education of his or her county, and the board  
24 of supervisors of his or her county describing the state of the  
25 schools in the county or of his or her office that are ranked in  
26 deciles 1 to 3, inclusive, of the 2006 base API, pursuant to Section  
27 52056. As a condition for the receipt of funds, the annual report  
28 shall include the determinations for each school made by the county  
29 superintendent, or his or her designee, regarding the status of all  
30 of the circumstances listed in subparagraph (I) and teacher  
31 misassignments and teacher vacancies, and the county  
32 superintendent, or his or her designee, shall use a standardized  
33 template to report the circumstances listed in subparagraph (I) and  
34 teacher misassignments and teacher vacancies, unless the current  
35 annual report being used by the county superintendent, or his or  
36 her designee, already includes those details with the same level of  
37 specificity that is otherwise required by this subdivision. For  
38 purposes of this section, schools ranked in deciles 1 to 3, inclusive,  
39 on the 2006 base API shall include any schools determined by the  
40 department to meet either of the following:

- 1 (i) The school meets all of the following criteria:  
2 (I) Does not have a valid base API score for 2006.  
3 (II) Is operating in fiscal year 2007–08 and was operating in  
4 fiscal year 2006–07 during the Standardized Testing and Reporting  
5 (STAR) Program testing period.  
6 (III) Has a valid base API score for 2005 that was ranked in  
7 deciles 1 to 3, inclusive, in that year.  
8 (ii) The school has an estimated base API score for 2006 that  
9 would be in deciles 1 to 3, inclusive.
- 10 (C) The department shall estimate an API score for any school  
11 meeting the criteria of subclauses (I) and (II) of clause (i) of  
12 subparagraph (B) and not meeting the criteria of subclause (III)  
13 of clause (i) of subparagraph (B), using available testing scores  
14 and any weighting or corrective factors it deems appropriate. The  
15 department shall post the API scores on its Internet Web site on  
16 or before May 1.
- 17 (D) For purposes of this section, references to schools ranked  
18 in deciles 1 to 3, inclusive, on the 2006 base API shall exclude  
19 any schools operated by county offices of education pursuant to  
20 Section 56140, as determined by the department.
- 21 (E) (i) Commencing with the 2010–11 fiscal year and every  
22 third year thereafter, the Superintendent shall identify a list of  
23 schools ranked in deciles 1 to 3, inclusive, of the API for which  
24 the county superintendent, or his or her designee, shall annually  
25 submit a report, at a regularly scheduled November board meeting,  
26 to the governing board of each school district under his or her  
27 jurisdiction, the county board of education of his or her county,  
28 and the board of supervisors of his or her county that describes the  
29 state of the schools in the county or of his or her office that are  
30 ranked in deciles 1 to 3, inclusive, of the base API as defined in  
31 clause (ii).
- 32 (ii) For the 2010–11 fiscal year, the list of schools ranked in  
33 deciles 1 to 3, inclusive, of the base API shall be updated using  
34 the criteria set forth in clauses (i) and (ii) of subparagraph (B) and  
35 subparagraphs (C) and (D), as applied to the 2009 base API, and  
36 thereafter shall be updated every third year using the criteria set  
37 forth in clauses (i) and (ii) of subparagraph (B) and subparagraphs  
38 (C) and (D), as applied to the base API of the year preceding the  
39 third year consistent with clause (i).

1 (iii) As a condition for the receipt of funds, the annual report  
2 shall include the determinations for each school made by the county  
3 superintendent, or his or her designee, regarding the status of all  
4 of the circumstances listed in subparagraph (I) and teacher  
5 misassignments and teacher vacancies, and the county  
6 superintendent, or his or her designee, shall use a standardized  
7 template to report the circumstances listed in subparagraph (I) and  
8 teacher misassignments and teacher vacancies, unless the current  
9 annual report being used by the county superintendent, or his or  
10 her designee, already includes those details with the same level of  
11 specificity that is otherwise required by this subdivision.

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

17 (G) On a quarterly basis, the county superintendent, or his or  
18 her designee, shall report the results of the visits and reviews  
19 conducted that quarter to the governing board of the school district  
20 at a regularly scheduled meeting held in accordance with public  
21 notification requirements. The results of the visits and reviews  
22 shall include the determinations of the county superintendent, or  
23 his or her designee, for each school regarding the status of all the  
24 circumstances listed in subparagraph (I) and teacher  
25 misassignments and teacher vacancies. If the county  
26 superintendent, or his or her designee, conducts no visits or reviews  
27 in a quarter, the quarterly report shall report that fact.

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

- 30 (i) Minimize disruption to the operation of the school.
- 31 (ii) Be performed by individuals who meet the requirements of  
32 Section 45125.1.
- 33 (iii) Consist of not less than 25 percent unannounced visits in  
34 each county. During unannounced visits in each county, the county  
35 superintendent shall not demand access to documents or specific  
36 school personnel. Unannounced visits shall only be used to observe  
37 the condition of school repair and maintenance, and the sufficiency  
38 of instructional materials, as defined by Section 60119.

1 (I) The priority objective of the visits made pursuant to this  
2 paragraph shall be to determine the status of all of the following  
3 circumstances:

4 (i) Sufficient textbooks as defined in Section 60119 and as  
5 specified in subdivision (i).

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

9 (iii) The accuracy of data reported on the school accountability  
10 report card with respect to the availability of sufficient textbooks  
11 and instructional materials, as defined by Section 60119, and the  
12 safety, cleanliness, and adequacy of school facilities, including  
13 good repair as required by Sections 17014, 17032.5, 17070.75,  
14 and 17089.

15 (J) The county superintendent may make the status  
16 determinations described in subparagraph (I) during a single visit  
17 or multiple visits. In determining whether to make a single visit  
18 or multiple visits for this purpose, the county superintendent shall  
19 take into consideration factors such as cost-effectiveness, disruption  
20 to the schoolsite, deadlines, and the availability of qualified  
21 reviewers.

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

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

30 (ii) Prepare a report that specifically identifies and documents  
31 the areas or instances of noncompliance if the district has not  
32 provided evidence of successful repairs within 30 days of the visit  
33 of the county superintendent or, for major projects, has not  
34 provided evidence that the repairs will be conducted in a timely  
35 manner. The report may be provided to the governing board of the  
36 school district. If the report is provided to the school district, it  
37 shall be presented at a regularly scheduled meeting held in  
38 accordance with public notification requirements. The county  
39 superintendent shall post the report on his or her Internet Web site.

1 The report shall be removed from the Internet Web site when the  
2 county superintendent verifies the repairs have been completed.

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

5 (e) Annually, on or before August 15, present a report to the  
6 governing board of the school district and the Superintendent  
7 regarding the fiscal solvency of any school district with a  
8 disapproved budget, qualified interim certification, or a negative  
9 interim certification, or that is determined at any time to be in a  
10 position of fiscal uncertainty pursuant to Section 42127.6.

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

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

17 (h) Enforce the course of study.

18 (i) (1) Enforce the use of state textbooks and instructional  
19 materials and of high school textbooks and instructional materials  
20 regularly adopted by the proper authority in accordance with  
21 Section 51050.

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

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

33 (B) In order to facilitate the review of instructional materials  
34 before the fourth week of the school year, the county superintendent  
35 of schools in a county with 200 or more schools that are ranked  
36 in any of deciles 1 to 3, inclusive, of the 2003 base API, as defined  
37 in subdivision (b) of Section 17592.70, may utilize a combination  
38 of visits and written surveys of teachers for the purpose of  
39 determining sufficiency of textbooks and instructional materials  
40 in accordance with subparagraph (A) of paragraph (1) of

1 subdivision (a) of Section 60119 and as defined in subdivision (c)  
2 of Section 60119. If a county superintendent of schools elects to  
3 conduct written surveys of teachers, the county superintendent of  
4 schools shall visit the schools surveyed within the same academic  
5 year to verify the accuracy of the information reported on the  
6 surveys. If a county superintendent surveys teachers at a school  
7 in which the county superintendent has found sufficient textbooks  
8 and instructional materials for the previous two consecutive years  
9 and determines that the school does not have sufficient textbooks  
10 or instructional materials, the county superintendent shall within  
11 10 business days provide a copy of the insufficiency report to the  
12 school district as set forth in paragraph (4).

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

15 (4) If the county superintendent determines that a school does  
16 not have sufficient textbooks or instructional materials in  
17 accordance with subparagraph (A) of paragraph (1) of subdivision  
18 (a) of Section 60119 and as defined by subdivision (c) of Section  
19 60119, the county superintendent shall do all of the following:

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

22 (B) Provide within five business days of the review, a copy of  
23 the report to the school district, as provided in subdivision (c), or,  
24 if applicable, provide a copy of the report to the school district  
25 within 10 business days pursuant to subparagraph (B) of paragraph  
26 (3).

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

30 (D) If the deficiency is not remedied as required pursuant to  
31 subparagraph (C), the county superintendent shall request the  
32 department purchase the textbooks or instructional materials  
33 necessary to comply with the sufficiency requirement of this  
34 subdivision. If the department purchases textbooks or instructional  
35 materials for the school district, the department shall issue a public  
36 statement at the first regularly scheduled meeting of the state board  
37 occurring immediately after the department receives the request  
38 of the county superintendent and that meets the applicable public  
39 notice requirements, indicating that the district superintendent and  
40 the governing board of the school district failed to provide pupils

1 with sufficient textbooks or instructional materials as required by  
2 this subdivision. Before purchasing the textbooks or instructional  
3 materials, the department shall consult with the district to determine  
4 which textbooks or instructional materials to purchase. All  
5 purchases of textbooks or instructional materials shall comply with  
6 Chapter 3.25 (commencing with Section 60420) of Part 33. The  
7 amount of funds necessary for the purchase of the textbooks and  
8 materials is a loan to the school district receiving the textbooks or  
9 instructional materials. Unless the school district repays the amount  
10 owed based upon an agreed-upon repayment schedule with the  
11 Superintendent, the Superintendent shall notify the Controller and  
12 the Controller shall deduct an amount equal to the total amount  
13 used to purchase the textbooks and materials from the next  
14 principal apportionment of the district or from another  
15 apportionment of state funds.

16 (j) (1) (A) Review the availability to all otherwise qualified  
17 pupils in grades 7 to 12, inclusive, of *a both of the following*:

18 (i) A course of study fulfilling the requirements and prerequisites  
19 for admission to the California public institutions of postsecondary  
20 education, in accordance with Section 51228, at a school ranked  
21 in any of deciles 1 to 3, inclusive, of the API and report on that  
22 availability to the school district that has jurisdiction over that  
23 school and to the Superintendent.

24 (ii) *A career technical education course of study that provides*  
25 *pupils with the skills necessary for entry-level employment upon*  
26 *graduation from high school, in accordance with Section 51228,*  
27 *at a school ranked in any of deciles 1 to 3, inclusive, of the API*  
28 *and report on that availability to the school district that has*  
29 *jurisdiction over the school and to the Superintendent.*

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

33 (2) If the county superintendent determines that a school  
34 reviewed pursuant to paragraph (1) does not make available to all  
35 otherwise qualified pupils in grades 7 to 12, inclusive, a course of  
36 study fulfilling the requirements for admission to the California  
37 public institutions of postsecondary education *and a course of*  
38 *study that provides pupils the skills necessary for entry-level*  
39 *employment* in accordance with Section 51228, the county

1 superintendent shall, within the same school year, do both of the  
2 following:

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

5 (i) Provision of sufficient courses in high schools that are  
6 certified by the University of California as meeting the  
7 requirements for admission to the University of California and the  
8 California State University in a manner that every otherwise  
9 qualified pupil is able to access in the sequence of introductory  
10 and then advanced courses recommended by the University of  
11 California and the California State University, as applicable.

12 (ii) *Provision of sufficient courses in high schools that meet the*  
13 *curriculum content standards and framework of a career technical*  
14 *education course of study as recognized by the department*  
15 *pursuant to Section 51226 in a manner that every otherwise*  
16 *qualified pupil is able to access the courses in the sequence of*  
17 *introductory and then advanced courses.*

18 ~~(ii)~~

19 (iii) Assignment of teachers who hold a credential and subject  
20 matter certification in the subject matter in which they teach, to  
21 courses that are certified by the University of California as meeting  
22 the requirements for admission to the University of California and  
23 the California State University.

24 (iv) *Provision of sufficient certified career technical education*  
25 *teachers to provide the course of study specified in clause (ii) of*  
26 *subparagraph (A) of paragraph (1).*

27 ~~(iii)~~

28 (v) 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)~~

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

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

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

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

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

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

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

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

1 (A) The first report shall cover the financial and budgetary status  
2 of the county office of education for the period ending October  
3 31. The second report shall cover the period ending January 31.  
4 Both reports shall be reviewed by the county board of education  
5 and approved by the county superintendent of schools no later than  
6 45 days after the close of the period being reported.

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

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

1 (3) This subdivision does not preclude the submission of  
2 additional budgetary or financial reports by the county  
3 superintendent to the county board of education or to the  
4 Superintendent.

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

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

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

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

24 SEC. 3. Section 51224 of the Education Code is amended to  
25 read:

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

34 SEC. 4. Section 51228 of the Education Code is amended to  
35 read:

36 51228. (a) (1) A school district maintaining any of grades 7  
37 to 12, inclusive, shall offer to all otherwise qualified pupils in those  
38 grades a course of study fulfilling the requirements and  
39 prerequisites for admission to the California public institutions of  
40 postsecondary education and shall provide a timely opportunity

1 to each of those pupils to enroll within a four-year period in each  
2 course necessary to fulfill those requirements and prerequisites  
3 prior to graduation from high school.

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

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

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

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

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

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

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

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

18 ~~SEC. 5. Section 52052 of the Education Code is amended to~~  
19 ~~read:~~

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

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

27 ~~(A) Ethnic subgroups.~~

28 ~~(B) Socioeconomically disadvantaged pupils.~~

29 ~~(C) English language learners.~~

30 ~~(D) Pupils with disabilities.~~

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

33 ~~(i) The subgroup consists of at least 50 pupils each of whom~~  
34 ~~has a valid test score.~~

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

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

1     ~~(C) For a school with an API score that is based on no fewer~~  
2 ~~than 11 and no more than 99 pupils with valid test scores,~~  
3 ~~numerically significant subgroups shall be defined by the~~  
4 ~~Superintendent, with approval by the state board.~~  
5     ~~(4) (A) The API shall consist of a variety of indicators,~~  
6 ~~including, but not limited to, all of the following:~~  
7         ~~(i) The results of the achievement test administered pursuant to~~  
8 ~~Section 60640.~~  
9         ~~(ii) The attendance rates for pupils in elementary schools, middle~~  
10 ~~schools, and secondary schools.~~  
11         ~~(iii) The graduation rates for pupils in secondary schools.~~  
12         ~~(iv) For high schools:~~  
13             ~~(I) Of the pupils who enrolled in a course certified by the~~  
14 ~~University of California as meeting the requirements for admission~~  
15 ~~to the University of California and the California State University,~~  
16 ~~the percentage of those pupils who completed that course and~~  
17 ~~earned a grade of C or better.~~  
18             ~~(II) Of the pupils who enrolled in a course satisfying the~~  
19 ~~California Career Technical Education Model Curriculum~~  
20 ~~Standards, also known as the career technical education content~~  
21 ~~standards adopted by the state board, the percentage of those pupils~~  
22 ~~who completed that course and earned a grade of C or better.~~  
23         ~~(B) Graduation rates for pupils in secondary schools shall be~~  
24 ~~calculated for the API as follows:~~  
25             ~~(i) The number of pupils who graduated on time for the current~~  
26 ~~school year, which is considered to be three school years after the~~  
27 ~~pupils entered grade 9 for the first time, divided by the total~~  
28 ~~calculated in clause (ii).~~  
29             ~~(ii) The number of pupils entering grade 9 for the first time in~~  
30 ~~the school year three school years prior to the current school year,~~  
31 ~~plus the number of pupils who transferred into the class graduating~~  
32 ~~at the end of the current school year between the school year that~~  
33 ~~was three school years prior to the current school year and the date~~  
34 ~~of graduation, less the number of pupils who transferred out of the~~  
35 ~~school between the school year that was three school years prior~~  
36 ~~to the current school year and the date of graduation who were~~  
37 ~~members of the class that is graduating at the end of the current~~  
38 ~~school year.~~  
39         ~~(C) The pupil data collected for the API that comes from the~~  
40 ~~achievement test administered pursuant to Sections 60640 and~~

1 ~~60644 and the high school exit examination administered pursuant~~  
2 ~~to Section 60851, when fully implemented, shall be disaggregated~~  
3 ~~by special education status, English language learners,~~  
4 ~~socioeconomic status, gender and ethnic group. Only the test scores~~  
5 ~~of pupils who were counted as part of the enrollment in the annual~~  
6 ~~data collection of the California Basic Educational Data System~~  
7 ~~for the current fiscal year and who were continuously enrolled~~  
8 ~~during that year may be included in the test result reports in the~~  
9 ~~API score of the school. Results of the achievement test and other~~  
10 ~~tests specified in subdivision (b) shall constitute at least 60 percent~~  
11 ~~of the value of the index.~~

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

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

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

34 ~~(1) The assessment of the applied academic skills matrix test~~  
35 ~~developed pursuant to Section 60604.~~

36 ~~(2) The nationally normed test designated pursuant to Section~~  
37 ~~60642.~~

38 ~~(3) The standards-based achievement tests provided for in~~  
39 ~~Section 60642.5.~~

40 ~~(4) The high school exit examination.~~

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

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

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

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

36 ~~(2) Ranking all public schools in the state for the purpose of the~~  
37 ~~High Achieving/Improving Schools Program pursuant to Section~~  
38 ~~52056.~~

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

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

8 ~~(A) Irregularities in testing procedures occurred.~~

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

11 ~~(C) Significant demographic changes in the pupil population~~  
12 ~~render year-to-year comparisons of pupil performance invalid.~~

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

15 ~~(E) Insufficient pupil participation in the assessments included~~  
16 ~~in the API.~~

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

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

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

36 ~~SEC. 6.~~

37 ~~SEC. 5.~~ Section 52336 of the Education Code is amended to  
38 read:

39 52336. (a) Any business, trade or professional association,  
40 union, or state or local governmental agency operating within this

1 state may establish and operate, under the auspices of the local  
2 school district, a career preparatory program within this state that  
3 meets the requirements of this article.

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

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

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

19 ~~SEC. 7.~~

20 *SEC. 6.* Section 52336.1 of the Education Code is repealed.

21 ~~SEC. 8.~~

22 *SEC. 7.* Chapter 18 (commencing with Section 53100) is added  
23 to Part 28 of Division 4 of Title 2 of the Education Code, to read:

24

25 CHAPTER 18. COLLEGE AND CAREER OPPORTUNITY PILOT  
26 PROGRAM

27

28 53100. The College and Career Opportunity Pilot Program is  
29 hereby established and shall be administered by the Superintendent.

30 53101. For purposes of this chapter, the following terms have  
31 the following meaning, unless the context requires otherwise:

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

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

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

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

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

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

11 (b) By January 15, 2008, the Superintendent shall invite schools  
12 identified pursuant to subdivision (a) to apply to participate in the  
13 program.

14 53103. (a) A school invited to apply to participate in the  
15 program pursuant to subdivision (b) of Section 53102 may apply  
16 to participate in the program by submitting a five-year program  
17 participation plan and budget to the Superintendent no later than  
18 September 2, 2008.

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

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

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

28 (3) A high quality five-year plan, in addition to addressing other  
29 school-identified needs, addresses plans for all of the following,  
30 where applicable:

31 (A) Providing additional college preparatory courses or career  
32 technical education courses, or both.

33 (B) Offering professional development to teachers.

34 (C) Establishing a support system for college preparatory and  
35 career technical education course teachers at individual high  
36 schools to ensure the implementation of engaging, quality  
37 curriculum and instructional methods. The support system may  
38 include use of a mentor teacher, time away from teaching duties  
39 for a mentor or lead teacher to observe and consult with other  
40 teachers, and ongoing staff development for teams of teachers.

1 (D) Establishing incentives to recruit and support highly trained  
2 teachers.

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

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

11 53104. (a) From funds made available for purposes of this  
12 part, the Superintendent shall allocate a total of one hundred dollars  
13 (\$100) per pupil, to each school selected for participation in the  
14 program pursuant to Section 53103 for implementation of the  
15 five-year plan of the school. However, it is the intent of the  
16 Legislature that no more than twenty-five million dollars  
17 (\$25,000,000) be appropriated for purposes of these grants during  
18 a fiscal year.

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

22 (1) Prepare pupils for the rigors of college preparatory and career  
23 technical education courses, including by providing relevant  
24 professional development for teachers and additional instructional  
25 time.

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

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

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

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

7 (2) It is the intent of the Legislature that schools and school  
8 districts also will seek private partners to assist in the  
9 implementation of school and district efforts pursuant to  
10 participation in the program.

11 53105. A participating school that achieves the annual  
12 improvement targets contained in its five-year plan shall publish,  
13 in paper and online, an annual report on its best practices to aid  
14 other grant recipient schools and inform the general public. This  
15 report shall include the goals, implementation plan, strategies, and  
16 results of the participation of the school in the program.

17 53106. (a) The governing board of the school district of a  
18 school that fails to meet its annual growth targets, as defined in  
19 the five-year plan of the school, within 12 months following receipt  
20 of funding pursuant to this chapter shall invite public comment at  
21 a regularly scheduled board meeting to inform members of the  
22 school community of the lack of progress in terms of any of the  
23 following that apply:

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

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

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

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

33 (b) The governing board of the school district shall, upon  
34 consultation with an external evaluator and schoolsite and  
35 community team, choose from a range of interventions for the  
36 school, including reassignment of school personnel to the extent  
37 authorized by law, or other changes deemed appropriate, in order  
38 to continue implementing the action plan of the school and to make  
39 progress toward meeting the improvement targets of the school  
40 established in its five-year plan.

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

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

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

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

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

16 (4) The number of pupils who satisfied the requirements for  
17 admission to the University of California and the California State  
18 University.

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

22 (6) *The number of graduates who plan to pursue immediately*  
23 *after high school each of the following:*

24 (A) *A four-year college degree without being employed at the*  
25 *same time.*

26 (B) *A four-year college degree and employment.*

27 (C) *Community college without being employed at the same*  
28 *time.*

29 (D) *Community college and employment.*

30 (E) *Technical training resulting in a certificate or an*  
31 *apprenticeship without additional employment at the same time.*

32 (F) *Technical training resulting in a certificate and employment.*

33 (G) *Employment.*

34 ~~(6)~~

35 (7) Reasons for progress, or lack thereof, as stated by the  
36 principal of each participating high school or a member of the  
37 governing board of the school district of a participating high school.

38 (c) The Legislature shall use this report to determine the  
39 advisability of extending the program or increasing funding for

1 this program to include new schools and continue funding for  
2 existing pilot schools.

3 53108. This chapter shall remain in effect only until January  
4 1, 2014, and as of that date is repealed, unless a later enacted  
5 statute, that is enacted before January 1, 2014, deletes or extends  
6 that date.

7 ~~SEC. 9.~~

8 *SEC. 8.* Section 66204 of the Education Code is amended to  
9 read:

10 66204. (a) The Superintendent shall assist all school districts  
11 to ensure that all public high school pupils have access to a core  
12 curriculum that meets the admission requirements of the University  
13 of California and the California State University. The  
14 Superintendent shall advise school districts that maintain high  
15 schools about the importance of making readily available to each  
16 high school pupil the current list of courses offered by the school  
17 attended by that pupil that are certified by the University of  
18 California as meeting admission requirements. It is the intent of  
19 the Legislature that each public high school shall provide the full  
20 college preparatory program, provide adequate course sections in  
21 college preparatory programs to accommodate all its pupils, and  
22 regularly counsel pupils to enter those programs and courses. There  
23 shall be no policy or practice in a public elementary or secondary  
24 school of directing, especially for cultural or linguistic reasons, a  
25 pupil in kindergarten or any of grades 1 to 12, inclusive, away  
26 from choosing programs that prepare that pupil academically for  
27 college.

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

35 (c) For a school district the Superintendent identifies as having  
36 failed to ensure that all eligible high school pupils have access to  
37 a core curriculum that meets the requirements for admission to the  
38 California public institutions of postsecondary education and career  
39 preparation needs, as defined in Section 51228, the Superintendent  
40 shall prepare an annual report for the Legislature by July 1 of each

1 year that specifically defines and documents the areas of  
2 noncompliance.

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

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

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

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

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

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

23 ~~SEC. 10.~~

24 *SEC. 9.* If the Commission on State Mandates determines that  
25 this act contains costs mandated by the state, reimbursement to  
26 local agencies and school districts for those costs shall be made  
27 pursuant to Part 7 (commencing with Section 17500) of Division  
28 4 of Title 2 of the Government Code.