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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 51224, 51228, 52336, 52378, 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, An act to amend Section 52378 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 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 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.~~

~~(3) 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.~~

~~(4)~~

~~(1) 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 4-year college. School districts, as a condition of 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~~ and 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.~~

~~(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.~~

~~(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:~~

~~(2) This bill also would incorporate additional changes in Section 52378 of the Education Code, proposed by AB 347, to be operative if AB 347 and this bill are both enacted and become effective on or before January 1, 2008, and this bill is enacted last.~~

~~Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: ~~yes-no~~.~~

*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 51224 of the Education Code is amended to~~  
4     ~~read:~~

5     ~~51224. The governing board of a school district maintaining~~  
6     ~~a high school shall prescribe courses of study designed to provide~~  
7     ~~the skills and knowledge required for adult life for pupils attending~~  
8     ~~the schools within its school district. The governing board shall~~  
9     ~~prescribe courses of study, including, but not limited to, study~~  
10    ~~designed to prepare prospective pupils for admission to state~~  
11    ~~colleges and universities and study designed to prepare a pupil for~~  
12    ~~work through career technical education training.~~

13    ~~SEC. 3. Section 51228 of the Education Code is amended to~~  
14    ~~read:~~

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

9 ~~(2) A school district satisfies, for its high schools, its~~  
10 ~~responsibilities pursuant to paragraph (1) if it, at each high school~~  
11 ~~in the district, fulfills both of the following requirements:~~

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

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

29 ~~(b) (1) A school district maintaining any of grades 7 to 12,~~  
30 ~~inclusive, shall offer to all otherwise qualified pupils in those~~  
31 ~~grades at each school in the district a course of study that provides~~  
32 ~~an opportunity for those pupils to attain entry-level employment~~  
33 ~~skills in business or industry upon graduation from high school.~~  
34 ~~School districts are encouraged to provide all pupils with a rigorous~~  
35 ~~academic curriculum that integrates academic and career skills,~~  
36 ~~incorporates applied learning in all disciplines, and prepares all~~  
37 ~~pupils for high school graduation and career entry.~~

38 ~~(2) A school district satisfies, for its high schools, its~~  
39 ~~responsibilities pursuant to paragraph (1) if it, at each high school~~  
40 ~~in the district, fulfills both of the following requirements:~~

1     ~~(A) Offers a sufficient number and variety of career technical~~  
 2 ~~education courses of study in high schools that meet the curriculum~~  
 3 ~~content standards for career technical education adopted by the~~  
 4 ~~state board pursuant to Section 51226 in numbers and at times that~~  
 5 ~~allow all pupils to take those courses in a sequence of introductory~~  
 6 ~~and then advanced courses within career pathways prior to~~  
 7 ~~graduation from high school, except if pupils have not completed,~~  
 8 ~~with a passing grade or better, any prerequisite career technical~~  
 9 ~~education coursework. Advanced career technical education~~  
 10 ~~coursework may include regional occupational program courses~~  
 11 ~~in grades 11 and 12, as applicable, that are available to high school~~  
 12 ~~pupils in the school district.~~

13     ~~(B) Offers pupils instructional support, such as participation in~~  
 14 ~~national affiliated career technical education pupil leadership and~~  
 15 ~~skill associations, supervised work-based learning experiences,~~  
 16 ~~and other activities integral to instruction, as referenced in the~~  
 17 ~~curriculum content standards for career technical education adopted~~  
 18 ~~by the state board pursuant to Section 51226.~~

19     ~~(c) A school district that adopts a required curriculum that meets~~  
 20 ~~or exceeds the model standards developed by the state board~~  
 21 ~~pursuant to Section 51226, or that adopts alternative means for~~  
 22 ~~pupils to complete the prescribed course of study pursuant to~~  
 23 ~~subdivision (b) of Section 51225.3, may substitute pupil~~  
 24 ~~demonstration of competence in the prescribed subjects through~~  
 25 ~~a practical demonstration of these skills in a regional occupational~~  
 26 ~~center or program, work experience, interdisciplinary study,~~  
 27 ~~independent study, credit earned at a postsecondary institution, or~~  
 28 ~~other outside school experience, as prescribed by subdivision (b)~~  
 29 ~~of Section 51225.3.~~

30     ~~SEC. 4.—Section 52336 of the Education Code is amended to~~  
 31 ~~read:~~

32     ~~52336.—(a) Any business, trade or professional association,~~  
 33 ~~union, or state or local governmental agency operating within this~~  
 34 ~~state may establish and operate, under the auspices of the local~~  
 35 ~~school district, a career preparatory program within this state that~~  
 36 ~~meets the requirements of this article.~~

37     ~~(b) As part of a career preparatory program, an entity~~  
 38 ~~establishing and operating the program shall develop and~~  
 39 ~~implement a course of instruction for all pupils enrolled in the~~

1 ~~program that is aligned with the career technical education~~  
2 ~~curriculum framework adopted by the state board.~~

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

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

13 ~~SEC. 5.~~ Section 52336.1 of the Education Code is repealed.

14 ~~SEC. 6.~~

15 *SECTION 1.* Section 52378 of the Education Code is amended  
16 to read:

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

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

26 (1) A provision for individualized review of the academic and  
27 deportment records of the pupil.

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

32 (3) A provision for a counselor to meet with each pupil and, if  
33 practicable, the parents or legal guardian of the pupil to explain  
34 the academic and deportment records of the pupil, his or her  
35 educational options, the coursework and academic progress needed  
36 for satisfactory completion of middle or high school, passage of  
37 the high school exit examination, and eligibility for admission to  
38 a four-year institution of postsecondary education, including the  
39 University of California and the California State University, as  
40 well as the availability of career technical education. The

1 educational options explained at the meeting, if services are  
2 available, shall include the college preparatory program and career  
3 technical education programs, including regional occupational  
4 centers and programs and any other alternatives available to pupils  
5 within the school district.

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

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

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

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 to begin to satisfy the *curricular*  
32 requirements for admission to the University of California and *the*  
33 *California State University systems*.

34 (4) ~~A~~ *Require each school within its jurisdiction to provide a*  
35 *copy of the lists developed pursuant to paragraphs (2) and (3) shall*  
36 ~~be provided~~ *to the pupil and his or her parent or legal guardian.*  
37 The school district shall ensure that the list of coursework and  
38 experience is part of the cumulative records of the pupil.

39 (c) (1) In addition to the items identified in subdivision (b), the  
40 list of coursework and experience for a pupil enrolled in grade 12

1 shall include options for continuing his or her education if he or  
2 she fails to meet graduation requirements. These options shall  
3 include, but not be limited to, all of the following:

- 4 (A) Enrolling in an adult education program.
- 5 (B) Enrolling in a community college.
- 6 (C) Continuing enrollment in the school district of the pupil.

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

11 (d) As a condition of receipt of funds pursuant to this article, a  
12 school district shall require each school within its jurisdiction to  
13 offer and schedule an individual conference with each pupil,  
14 identified in paragraphs (1), ~~(2), and (3)~~ and (2) of subdivision  
15 (b), and his or her parent or legal guardian, and a school counselor.  
16 The individual conference shall be scheduled, to the extent feasible,  
17 according to the following requirements:

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

21 (2) For a pupil enrolled in grade 10, the conference shall occur  
22 between the spring of that school year in which the pupil is enrolled  
23 in grade 10 and the fall of the following school year in which the  
24 pupil would be enrolled in grade 11. For a school operating on a  
25 multitrack, year-round calendar, the conference for a pupil enrolled  
26 in grade 10 shall occur in the timeframe that is equivalent to that  
27 specified timeframe for a school operating on a traditional calendar.

28 (3) For a pupil enrolled in grade 12, the conference shall occur  
29 after November of that school year in which the pupil is enrolled  
30 in grade 12, but before March of the same school year. For a school  
31 operating on a multitrack, year-round calendar, the conference for  
32 a pupil enrolled in grade 12 shall occur in the timeframe that is  
33 equivalent to that specified timeframe for a school operating on a  
34 traditional calendar.

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

39 (1) Consequences of not passing the high school exit  
40 examination.

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

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

5 (4) Performance on standardized and diagnostic assessments of  
6 the pupil.

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

9 (6) Information on postsecondary education and training.

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

13 (8) Eligibility requirements, including coursework and test  
14 requirements, and the progress of the pupil toward satisfaction of  
15 those requirements for admission to four-year institutions of  
16 postsecondary education, including, at least, the University of  
17 California and the California State University.

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

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

21

22 ~~CHAPTER 18. COLLEGE AND CAREER OPPORTUNITY PILOT~~  
23 ~~PROGRAM~~

24

25 ~~53100. The College and Career Opportunity Pilot Program is~~  
26 ~~hereby established and shall be administered by the Superintendent.~~

27 ~~53101. For purposes of this chapter, the following terms have~~  
28 ~~the following meaning, unless the context requires otherwise:~~

29 ~~(a) "Career technical education courses" means those sequences~~  
30 ~~of career technical education courses that are aligned to the career~~  
31 ~~technical education curriculum framework adopted by the state~~  
32 ~~board.~~

33 ~~(b) "College preparatory courses" means those courses that~~  
34 ~~satisfy the curricular requirements for admission to the University~~  
35 ~~of California and the California State University.~~

36 ~~(c) "Program" means the College and Career Opportunity Pilot~~  
37 ~~Program established pursuant to this chapter.~~

38 ~~53102. (a) The Superintendent shall identify high schools in~~  
39 ~~deciles 1 to 5, inclusive, of the Academic Performance Index (API)~~

1 that enroll 400 or more pupils and that meet both of the following  
2 criteria:

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

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

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

12 ~~53103.~~ (a) A school invited to apply to participate in the  
13 program pursuant to subdivision (b) of Section 53102 may apply  
14 to participate in the program by submitting a five-year program  
15 participation plan and budget to the Superintendent no later than  
16 September 2, 2008.

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

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

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

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

29 (A) Providing additional college preparatory courses or career  
30 technical education courses, or both.

31 (B) Offering professional development to teachers.

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

39 (D) Establishing incentives to recruit and support highly trained  
40 teachers.

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

4 ~~(F) Partnering with feeder middle schools to ensure that they~~  
5 ~~provide prealgebra and algebra classes to all interested grade 8~~  
6 ~~pupils, first-year foreign language courses to all interested grade~~  
7 ~~7 pupils, career exploration courses to all interested pupils, and~~  
8 ~~career technical education courses aligned with the curriculum~~  
9 ~~content standards for career technical education adopted by the~~  
10 ~~state board pursuant to Section 51226 to all interested pupils in~~  
11 ~~grades 7 and 8.~~

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

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

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

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

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

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

39 ~~(d) (1) The office of the Secretary for Education shall seek~~  
40 ~~private partners to match state funding. The College and Career~~

1 Opportunity Fund is hereby established in the State Treasury to  
2 receive these funds. The Superintendent shall be responsible for  
3 the administration of the fund and the distribution of the funds to  
4 program participants consistent with the purposes of this program.

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

9 53105. A participating school that achieves the annual  
10 improvement targets contained in its five-year plan shall publish,  
11 in paper and online, an annual report on its best practices to aid  
12 other grant recipient schools and inform the general public. This  
13 report shall include the goals, implementation plan, strategies, and  
14 results of the participation of the school in the program.

15 53106. (a) The governing board of the school district of a  
16 school that fails to meet its annual growth targets, as defined in  
17 the five-year plan of the school, within 12 months following receipt  
18 of funding pursuant to this chapter shall invite public comment at  
19 a regularly scheduled board meeting to inform members of the  
20 school community of the lack of progress in terms of any of the  
21 following that apply:

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

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

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

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

32 (b) The governing board of the school district shall, upon  
33 consultation with an external evaluator and schoolsite and  
34 community team, choose from a range of interventions for the  
35 school, including reassignment of school personnel to the extent  
36 authorized by law, or other changes deemed appropriate, in order  
37 to continue implementing the action plan of the school and to make  
38 progress toward meeting the improvement targets of the school  
39 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 courses.~~  
9         ~~(2) The percentage of course offerings that are career technical~~  
10 ~~education courses.~~  
11         ~~(3) The percentage of teachers who hold the proper credentials~~  
12 ~~and subject matter certifications for the college preparatory or~~  
13 ~~career technical education courses, or both, that they teach.~~  
14         ~~(4) The percentage of pupils who entered the school in grade 9~~  
15 ~~and graduated four years later having completed the college~~  
16 ~~preparatory and career technical course sequences with a C average~~  
17 ~~or better.~~  
18         ~~(5) The number of pupils who satisfied the requirements for~~  
19 ~~admission to the University of California and the California State~~  
20 ~~University.~~  
21         ~~(6) The number of pupils who successfully completed a~~  
22 ~~sequence of career technical education coursework.~~  
23         ~~(7) The number of pupils who entered the school in grade 9 and~~  
24 ~~later matriculated to a two- or four-year university or college or~~  
25 ~~apprenticeship program.~~  
26         ~~(8) The number of graduates who plan to pursue immediately~~  
27 ~~after high school each of the following:~~  
28             ~~(A) A four-year college degree without being employed at the~~  
29 ~~same time.~~  
30             ~~(B) A four-year college degree and employment.~~  
31             ~~(C) Community college without being employed at the same~~  
32 ~~time.~~  
33             ~~(D) Community college and employment.~~  
34             ~~(E) Technical training resulting in a certificate or an~~  
35 ~~apprenticeship without additional employment at the same time.~~  
36             ~~(F) Technical training resulting in a certificate and employment.~~  
37             ~~(G) Employment.~~  
38         ~~(9) Reasons for progress, or lack thereof, as stated by the~~  
39 ~~principal of each participating high school or a member of the~~  
40 ~~governing board of the school district of a participating high school.~~

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

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

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

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

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

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

1 shall prepare an annual report for the Legislature by July 1 of each  
2 year that specifically defines and documents the areas of  
3 noncompliance.

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

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

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

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

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

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

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.~~

29 *SEC. 1.5. Section 52378 of the Education Code is amended to*  
30 *read:*

31 52378. The Middle and High School Supplemental Counseling  
32 Program is hereby established for the purpose of providing  
33 additional counseling services to pupils in grades 7 to 12, inclusive.  
34 As a condition of receiving funds, the governing board of each  
35 school district maintaining any of grades 7 to 12, inclusive, shall  
36 do all of the following:

37 (a) The program shall be adopted at a public meeting of the  
38 governing board of a school district and shall include all of the  
39 following:

1 (1) A provision for individualized review of the pupil's academic  
2 and department records *of the pupil*.

3 (2) A provision for *individualized review of the career goals*  
4 *of, and the available academic and career technical education*  
5 *opportunities and community and workplace experiences available*  
6 *to, the pupil that may support the pursuit of the goals of the pupil.*

7 (3) A provision for a counselor to meet with each pupil and if  
8 practicable, the parents or *legal* guardian of the pupil; to explain  
9 the academic and department records of the pupil, his or her  
10 educational options, the coursework and academic progress needed  
11 for satisfactory completion of middle or high school, passage of  
12 the high school exit examination ~~and~~, *and eligibility for admission*  
13 *to a four-year institution of postsecondary education, including*  
14 *the University of California and the California State University,*  
15 *as well as the availability of intensive instruction and services*  
16 *options, including those described in paragraph (3) of subdivision*  
17 *(c) of Section 37254, for up to two consecutive academic years*  
18 *after the completion of grade 12 or until the pupil has passed both*  
19 *parts of the high school exit examination, whichever comes first,*  
20 *for those pupils who have not passed one or both parts of the high*  
21 *school exit examination by the end of grade 12, and the availability*  
22 *of career technical education. The educational options explained*  
23 *at the meeting shall, if services are available, shall include the*  
24 *college preparatory program and ~~vocational~~ career technical*  
25 *education programs, including regional occupational centers and*  
26 *programs and any other alternatives available to pupils within the*  
27 *school district.*

28 (b) In addition to the counseling services described in  
29 subdivision (a), school districts shall identify pupils who are at  
30 risk of not graduating with the rest of their class, are not earning  
31 credits at a rate that will enable them to pass the high school exit  
32 examination, or do not have sufficient training to allow them to  
33 fully engage in their chosen career, and shall do all of the  
34 following:

35 (1) Require each school within its jurisdiction that enrolls pupils  
36 in grades 10 and 12 to develop a list of coursework and experience  
37 necessary to assist each pupil in ~~their~~ *his or her* respective grade  
38 that has not passed one or both parts of the high school exit  
39 examination *or has not satisfied, or is not on track to satisfy, the*  
40 *curricular requirements for admission to the University of*

1 *California and the California State University, and to successfully*  
2 *transition to postsecondary education or employment.*

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

10 ~~(3) A copy of the~~ *Require each school within its jurisdiction*  
11 *that enrolls pupils in grade 7 to develop a list of coursework and*  
12 *experience necessary shall be provided to assist each pupil in grade*  
13 *7 to begin to satisfy the curricular requirements for admission to*  
14 *the University of California and the California State University.*

15 (4) *Require each school within its jurisdiction to provide a copy*  
16 *of the lists developed pursuant to paragraphs (2) and (3) to the*  
17 *pupil and his or her parent or legal guardian. The school district*  
18 *shall ensure that the list of coursework and experience is part of*  
19 *the cumulative records of the pupil.*

20 (5) *Inform the pupil who has not passed one or both parts of*  
21 *the high school exit examination of the option of intensive*  
22 *instruction and services.*

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

28 (A) Enrolling in an adult education program.

29 (B) Enrolling in a community college.

30 (C) Continuing enrollment in the ~~pupil's~~ *pupil's school district of the*  
31 *pupil.*

32 (D) *Continuing to receive intensive instruction and services for*  
33 *up to two consecutive academic years after completion of grade*  
34 *12 or until the pupil has passed both parts of the high school exit*  
35 *examination, whichever comes first.*

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

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

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

11 (2) For a pupil enrolled in grade 10, the conference shall occur  
12 between the spring of that school year in which the pupil is enrolled  
13 in grade 10 and the fall of the following school year in which the  
14 pupil would be enrolled in grade 11. ~~For the 2006-07 a school~~  
15 ~~year operating on a multitrack, year-round calendar, the~~  
16 ~~conference shall occur on or before December 31, 2006 for a pupil~~  
17 ~~enrolled in grade 10 shall occur in the timeframe that is equivalent~~  
18 ~~to that specified timeframe for a school operating on a traditional~~  
19 ~~calendar.~~

20 (3) For a pupil enrolled in grade 12, the conference shall occur  
21 after November of that school year in which the pupil is enrolled  
22 in grade 12, but before March of the same school year. *For a school*  
23 *operating on a multitrack, year-round calendar, the conference*  
24 *for a pupil enrolled in grade 12 shall occur in the timeframe that*  
25 *is equivalent to that specified timeframe for a school operating on*  
26 *a traditional calendar.*

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

31 (1) Consequences of not passing the high school exit  
32 examination.

33 (2) Programs, courses, and career technical education options  
34 available for pupils needed for satisfactory completion of middle  
35 or high school.

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

37 (4) Performance on standardized and diagnostic assessments of  
38 the pupil.

39 (5) Remediation strategies, high school courses, and alternative  
40 education options available to the pupil, *including, but not limited*

1 *to, informing pupils of the option to receive intensive instruction*  
2 *and services for up to two consecutive academic years after*  
3 *completion of grade 12 or until the pupil has passed both parts of*  
4 *the high school exit examination, whichever comes first.*

5 (6) Information on postsecondary education and training.

6 (7) The ~~pupil's~~ *score of the pupil* on the English language arts  
7 or mathematics portion of the California Standards Test  
8 administered in grade 6, as applicable.

9 (8) *Eligibility requirements, including coursework and test*  
10 *requirements, and the progress of the pupil toward satisfaction of*  
11 *those requirements for admission to four-year institutions of*  
12 *postsecondary education, including, at least, the University of*  
13 *California and the California State University.*

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

15 *SEC. 2. Section 1.5 of this bill incorporates amendments to*  
16 *Section 52378 of the Education Code proposed by this bill and AB*  
17 *347. It shall become operative if (1) both bills are enacted and*  
18 *become effective on or before January 1, 2008, (2) both bills amend*  
19 *Section 52378 of the Education Code, and (3) this bill is enacted*  
20 *after AB 347, in which case Section 52378 of the Education Code,*  
21 *as amended by AB 347, shall remain operative only until the*  
22 *operative date of this bill, at which time Section 1.5 of this bill*  
23 *shall become operative, and Section 1 of this bill shall not become*  
24 *operative.*