

AMENDED IN ASSEMBLY SEPTEMBER 6, 2007

AMENDED IN ASSEMBLY AUGUST 31, 2007

AMENDED IN ASSEMBLY AUGUST 20, 2007

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

Introduced by Senator Steinberg
(Coauthor: Assembly Member Nunez)

February 21, 2007

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) 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.

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 and the California State University and to mandate each school perform additional duties related to that subject.

(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: no.
 State-mandated local program: no.

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

1 SECTION 1. Section 52378 of the Education Code is amended
 2 to read:
 3 52378. The Middle and High School Supplemental Counseling
 4 Program is hereby established for the purpose of providing
 5 additional counseling services to pupils in grades 7 to 12, inclusive.
 6 As a condition of receiving funds, the governing board of each
 7 school district maintaining any of grades 7 to 12, inclusive, shall
 8 do all of the following:
 9 (a) The program shall be adopted at a public meeting of the
 10 governing board of a school district and shall include all of the
 11 following:
 12 (1) A provision for individualized review of the academic and
 13 department records of the pupil.
 14 (2) A provision for individualized review of the career goals
 15 of, and the available academic and career technical education
 16 opportunities and community and workplace experiences available
 17 to, the pupil that may support the pursuit of the goals of the pupil.
 18 (3) A provision for a counselor to meet with each pupil and, if
 19 practicable, the parents or legal guardian of the pupil to explain
 20 the academic and department records of the pupil, his or her
 21 educational options, the coursework and academic progress needed

1 for satisfactory completion of middle or high school, passage of
2 the high school exit examination, and eligibility for admission to
3 a four-year institution of postsecondary education, including the
4 University of California and the California State University, as
5 well as the availability of career technical education. The
6 educational options explained at the meeting, if services are
7 available, shall include the college preparatory program and career
8 technical education programs, including regional occupational
9 centers and programs and any other alternatives available to pupils
10 within the school district.

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

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

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

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

38 (4) Require each school within its jurisdiction to provide a copy
39 of the lists developed pursuant to paragraphs (2) and (3) to the
40 pupil and his or her parent or legal guardian. The school district

1 shall ensure that the list of coursework and experience is part of
2 the cumulative records of the pupil.

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

8 (A) Enrolling in an adult education program.

9 (B) Enrolling in a community college.

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

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

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

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

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

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

39 (e) During the individual conference described in subdivision
40 (d), the school counselor shall apprise the pupil identified in

1 paragraphs (1) and (2) of subdivision (b), and his or her parent or
2 legal guardian of the following:

3 (1) Consequences of not passing the high school exit
4 examination.

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

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

9 (4) Performance on standardized and diagnostic assessments of
10 the pupil.

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

13 (6) Information on postsecondary education and training.

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

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

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

23 SEC. 1.5. Section 52378 of the Education Code is amended to
24 read:

25 52378. The Middle and High School Supplemental Counseling
26 Program is hereby established for the purpose of providing
27 additional counseling services to pupils in grades 7 to 12, inclusive.
28 As a condition of receiving funds, the governing board of each
29 school district maintaining any of grades 7 to 12, inclusive, shall
30 do all of the following:

31 (a) The program shall be adopted at a public meeting of the
32 governing board of a school district and shall include all of the
33 following:

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

36 (2) A provision for individualized review of the career goals
37 of, and the available academic and career technical education
38 opportunities and community and workplace experiences available
39 to, the pupil that may support the pursuit of the goals of the pupil.

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

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

29 (1) Require each school within its jurisdiction that enrolls pupils
30 in grades 10 and 12 to develop a list of coursework and experience
31 necessary to assist each pupil in his or her respective grade that
32 has not passed one or both parts of the high school exit examination
33 or has not satisfied, or is not on track to satisfy, the curricular
34 requirements for admission to the University of California and the
35 California State University, and to successfully transition to
36 postsecondary education or employment.

37 (2) Require each school within its jurisdiction that enrolls pupils
38 in grade 7 to develop a list of coursework and experience necessary
39 to assist each pupil in grade 7 who is deemed to be at the far below
40 basic level in English language arts or mathematics pursuant to

1 California Standards Tests administered to pupils in grade 6 to
2 successfully transition to high school and meet all graduation
3 requirements, including passing the high school exit examination.

4 (3) Require each school within its jurisdiction that enrolls pupils
5 in grade 7 to develop a list of coursework and experience necessary
6 to assist each pupil in grade 7 to begin to satisfy the curricular
7 requirements for admission to the University of California and the
8 California State University.

9 (4) Require each school within its jurisdiction to provide a copy
10 of the lists developed pursuant to paragraphs (2) and (3) to the
11 pupil and his or her parent or legal guardian. The school district
12 shall ensure that the list of coursework and experience is part of
13 the cumulative records of the pupil.

14 (5) Inform the pupil who has not passed one or both parts of the
15 high school exit examination of the option of intensive instruction
16 and services.

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

- 22 (A) Enrolling in an adult education program.
- 23 (B) Enrolling in a community college.
- 24 (C) Continuing enrollment in the school district of the pupil.
- 25 (D) Continuing to receive intensive instruction and services for
26 up to two consecutive academic years after completion of grade
27 12 or until the pupil has passed both parts of the high school exit
28 examination, whichever comes first.

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

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

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

4 (2) For a pupil enrolled in grade 10, the conference shall occur
5 between the spring of that school year in which the pupil is enrolled
6 in grade 10 and the fall of the following school year in which the
7 pupil would be enrolled in grade 11. For a school operating on a
8 multitrack, year-round calendar, the conference for a pupil enrolled
9 in grade 10 shall occur in the timeframe that is equivalent to that
10 specified timeframe for a school operating on a traditional calendar.

11 (3) For a pupil enrolled in grade 12, the conference shall occur
12 after November of that school year in which the pupil is enrolled
13 in grade 12, but before March of the same school year. For a school
14 operating on a multitrack, year-round calendar, the conference for
15 a pupil enrolled in grade 12 shall occur in the timeframe that is
16 equivalent to that specified timeframe for a school operating on a
17 traditional calendar.

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

22 (1) Consequences of not passing the high school exit
23 examination.

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

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

28 (4) Performance on standardized and diagnostic assessments of
29 the pupil.

30 (5) Remediation strategies, high school courses, and alternative
31 education options available to the pupil, including, but not limited
32 to, informing pupils of the option to receive intensive instruction
33 and services for up to two consecutive academic years after
34 completion of grade 12 or until the pupil has passed both parts of
35 the high school exit examination, whichever comes first.

36 (6) Information on postsecondary education and training.

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

1 (8) Eligibility requirements, including coursework and test
2 requirements, and the progress of the pupil toward satisfaction of
3 those requirements for admission to four-year institutions of
4 postsecondary education, including, at least, the University of
5 California and the California State University.

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

7 SEC. 2. Section 1.5 of this bill incorporates amendments to
8 Section 52378 of the Education Code proposed by this bill and
9 AB 347. It shall become operative if (1) both bills are enacted and
10 become effective on or before January 1, 2008, (2) both bills amend
11 Section 52378 of the Education Code, and (3) this bill is enacted
12 after AB 347, in which case Section 52378 of the Education Code,
13 as amended by AB 347, shall remain operative only until the
14 operative date of this bill, at which time Section 1.5 of this bill
15 shall become operative, and Section 1 of this bill shall not become
16 operative.

O