

AMENDED IN ASSEMBLY MAY 1, 2014
AMENDED IN ASSEMBLY MARCH 28, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2007

**Introduced by Assembly Member Grove
(Principal coauthor: Assembly Member Olsen)**

February 20, 2014

An act to amend Section 51747.3 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 2007, as amended, Grove. Virtual or online charter schools: average daily attendance.

Existing law requires community school and independent study average daily attendance to be claimed by school districts, county superintendents of schools, and charter schools only for pupils who are residents of the county in which the apportionment claim is reported or pupils who are residents of a county immediately adjacent to the county in which the apportionment claim is reported.

This bill would authorize a virtual or online charter school, as defined, to also claim independent study average daily attendance for ~~pupils who are residents of any other county in the state, under specified circumstances, including if the~~ a pupil who is enrolled in the a virtual or online charter school and moves to a residence outside of the geographic boundaries in which the *virtual or online* charter school is authorized to operate, ~~and continues enrollment in the virtual or online charter school for the duration of the virtual or online charter school~~

course or courses or until the end of the school year, whichever occurs first.

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

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

1 SECTION 1. Section 51747.3 of the Education Code is
 2 amended to read:

3 51747.3. (a) Notwithstanding any other law, a local educational
 4 agency, including, but not limited to, a charter school, may not
 5 claim state funding for the independent study of a pupil, whether
 6 characterized as home study or otherwise, if the local educational
 7 agency has provided any funds or other thing of value to the pupil
 8 or his or her parent or guardian that the local educational agency
 9 does not provide to pupils who attend regular classes or to their
 10 parents or guardians. A charter school may not claim state funding
 11 for the independent study of a pupil, whether characterized as
 12 home study or otherwise, if the charter school has provided any
 13 funds or other thing of value to the pupil or his or her parent or
 14 guardian that a school district could not legally provide to a
 15 similarly situated pupil of the school district, or to his or her parent
 16 or guardian.

17 (b) (1) Notwithstanding paragraph (1) of subdivision (d) of
 18 Section 47605 or any other law, and except as specified in
 19 paragraph (2), community school and independent study average
 20 daily attendance shall be claimed by school districts, county
 21 superintendents of schools, and charter schools only for pupils
 22 who are residents of the county in which the apportionment claim
 23 is reported, or who are residents of a county immediately adjacent
 24 to the county in which the apportionment claim is reported.

25 (2) In addition to claiming independent study average daily
 26 attendance pursuant to paragraph (1), a virtual or online charter
 27 school may also claim independent study average daily attendance
 28 for a pupil who is a resident of a county outside of the geographical
 29 boundaries in which the virtual or online charter school is
 30 authorized to operate under either of the following circumstances:
 31 *enrolled in the school and moves to a residence located outside*
 32 *of the geographical boundaries of the virtual or online charter*
 33 *school. The virtual or online charter school may claim independent*

1 *study average daily attendance for the pupil under this paragraph*
2 *only for the duration of the course or courses in which the pupil*
3 *is enrolled or until the end of the school year, whichever occurs*
4 *first.*

5 ~~(A) The pupil is enrolled in the virtual or online charter school~~
6 ~~and moves to a residence located outside of the geographic~~
7 ~~boundaries in which the virtual or online charter school may~~
8 ~~operate, and continues enrollment in the virtual or online charter~~
9 ~~school.~~

10 ~~(B) The pupil transfers to another school because he or she~~
11 ~~moves to a residence located outside of the geographic boundaries~~
12 ~~of the virtual or online charter school, and reenrolls in the virtual~~
13 ~~or online charter school within two years of his or her transfer~~
14 ~~from the virtual or online charter school while continuing to reside~~
15 ~~in an area outside of the virtual or online charter school's~~
16 ~~authorized geographic boundaries. Under this subparagraph, the~~
17 ~~virtual or online charter school may claim independent study~~
18 ~~average daily attendance once the pupil reenrolls in the virtual~~
19 ~~or online charter school.~~

20 (c) The Superintendent shall not apportion funds for reported
21 average daily attendance, through full-time independent study, of
22 pupils who are enrolled in school pursuant to subdivision (b) of
23 Section 48204.

24 (d) In conformity with Provisions 25 and 28 of *Item*
25 *6110-101-001* of Section 2.00 of the Budget Act of 1992, this
26 section is applicable to average daily attendance reported for
27 apportionment purposes beginning July 1, 1992. The provisions
28 of this section are not subject to waiver by the state board, by the
29 Superintendent, or under any provision of Part 26.8 (commencing
30 with Section 47600).

31 (e) For purposes of this section, "virtual or online charter school"
32 means a charter school in which at least 80 percent of teaching
33 and pupil interaction occurs via the Internet.