

AMENDED IN SENATE APRIL 17, 2013

**SENATE BILL**

**No. 379**

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**Introduced by Senator Hancock**

February 20, 2013

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An act to amend Section 46146.5 of the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 379, as amended, Hancock. School attendance: early and middle college high schools.

Existing law provides that a day of attendance for a pupil enrolled in grades 11 and 12 at an early college high school or middle college high school is 180 minutes of attendance if the pupil is also enrolled in a community college, classes of the California State University, or classes of the University of California, as specified. Existing law, the Charter Schools Act of 1992, requires, as a condition of apportionment, among other things, a charter school to offer 64,800 minutes of instruction in a fiscal year for pupils in grades 9 to 12, inclusive, and, for classroom-based instruction, as defined, to have at least 80% of the instructional time offered to be at the schoolsite.

This bill would authorize a charter school that operates an early college high school or middle college high school to claim a day of attendance based on 180 minutes of attendance for a pupil *enrolled in grade 11 or 12* who is also enrolled in a community college, classes of the California State University, or classes of the University of California, as specified, ~~notwithstanding any other provisions, including provisions of the Charter Schools Act of 1992 without changing the minimum number of minutes of instruction a charter school is required to offer in a fiscal year.~~ *The bill would require a day of attendance to be 240*

*minutes of attendance for (A) a pupil enrolled in grade 9 or 10 who is also a special part-time student enrolled in community college, and (B) a pupil enrolled in a charter school that is an early college high school or middle college high school if the pupil does not satisfy certain requirements.*

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 46146.5 of the Education Code is  
 2 amended to read:  
 3 46146.5. (a) A day of attendance for a pupil enrolled in ~~grades~~  
 4 ~~11 and~~ *grade 11 or 12* at an early college high school or middle  
 5 college high school is 180 minutes of attendance if the pupil is  
 6 also enrolled part time in classes of the California State University  
 7 or the University of California for which academic credit will be  
 8 provided upon satisfactory completion of enrolled courses.  
 9 (b) A day of attendance for a pupil enrolled in an early college  
 10 high school or middle college high school, who is also a special  
 11 part-time student enrolled in a community college under Article  
 12 1 (commencing with Section 48800) of Chapter 5 of Part 27, and  
 13 who will receive academic credit upon satisfactory completion of  
 14 enrolled courses, is 180 minutes of attendance.  
 15 (c) A day of attendance for a pupil enrolled in an early college  
 16 high school or middle college high school who does not satisfy  
 17 subdivision (a) or (b) is 240 minutes of attendance.  
 18 ~~(d) Notwithstanding any other law, including, but not limited~~  
 19 ~~to, Section 46201 and subdivisions (a) and (e) of Section 47612.5,~~  
 20 ~~a charter school that operates an early college high school or middle~~  
 21 ~~college high school may claim a day of attendance for a pupil that~~  
 22 ~~satisfies the requirements of subdivisions (a) to (e), inclusive, as~~  
 23 ~~applicable.~~  
 24 *(d) For a charter school that is an early college high school or*  
 25 *middle college high school eligible to claim classroom-based*  
 26 *instruction apportionments in accordance with subdivision (e) of*  
 27 *Section 47612.5, a day of attendance for a pupil enrolled in grade*  
 28 *11 or 12 is 180 minutes of attendance if the pupil is also enrolled*  
 29 *part time in classes of the California Community Colleges,*  
 30 *California State University, or the University of California for*

1 *which academic credit will be provided upon satisfactory*  
2 *completion of enrolled courses.*

3 *(e) For a charter school that is an early college high school or*  
4 *middle college high school eligible to claim classroom-based*  
5 *instruction apportionments in accordance with subdivision (e) of*  
6 *Section 47612.5, a day of attendance for a pupil who is also a*  
7 *special part-time student enrolled in a community college under*  
8 *Article 1 (commencing with Section 48800) of Chapter 5 of Part*  
9 *27, and who will receive academic credit upon satisfactory*  
10 *completion of enrolled courses, is 180 minutes of attendance for*  
11 *a pupil enrolled in grade 11 or 12, and 240 minutes of attendance*  
12 *for a pupil enrolled in grade 9 or 10.*

13 *(f) A day of attendance for a pupil enrolled in a charter school*  
14 *that is an early college high school or middle college high school*  
15 *who does not satisfy subdivision (d) or (e) is 240 minutes of*  
16 *attendance.*

17 *(g) Subdivisions (d) and (e) shall not change the requirement*  
18 *for charter schools to offer the minimum number of annual*  
19 *instructional minutes pursuant to paragraph (1) of subdivision (a)*  
20 *of Section 47612.5.*

21 *(h) For a pupil enrolled in a charter school that is an early*  
22 *college high school or middle college high school who does not*  
23 *satisfy the attendance and enrollment requirements in subdivision*  
24 *(d) or (e), attendance shall be claimed by the charter school*  
25 *pursuant to Section 47612.5.*