

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 523

Introduced by Assembly Member Kim
(Coauthor: Senator Huff)

February 23, 2015

An act to ~~amend Section 48354 of the Education Code~~, *add Section 48032 to the Education Code*, relating to school enrollment.

LEGISLATIVE COUNSEL'S DIGEST

AB 523, as amended, Kim. ~~Open Enrollment Act: option to transfer to another school~~. *School enrollment: City of La Palma: high school districts.*

Existing law requires each person between 6 and 18 years of age who is not otherwise exempted to attend the public full-time day school or continuation school or classes in the school district in which his or her parent or guardian is a resident. Existing law authorizes the governing board of a school district to adopt a resolution to become a school district of choice, as defined, and accept interdistrict pupil transfers.

This bill would require a high school district that serves the City of La Palma in the County of Orange, upon the request of a parent or guardian who resides within the city limits, to enroll the child of the parent or guardian in a school located in that city without regard to the attendance boundaries of the high school district. The high school district from which a pupil transfers pursuant to the bill would be required to send all school records of the pupil to the new school in accordance with state law. By requiring the high school districts that serve the City of La Palma in the County of Orange to enroll pupils they were not previously required to enroll and performing other duties

with regard to those pupils, this bill would impose a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the high school districts that serve the City of La Palma in the County of Orange.

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.

~~Existing law, the Open Enrollment Act, authorizes the parent of a pupil enrolled in a low-achieving school, as defined, to submit an application for the pupil's transfer to another public school served by the school district of residence or another school district.~~

~~This bill would make nonsubstantive changes to these provisions.~~

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

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

- 1 SECTION 1. Section 48032 is added to the Education Code,
- 2 to read:
- 3 48032. Notwithstanding any other law, a high school district
- 4 that serves the City of La Palma in the County of Orange, upon
- 5 the request of a parent or guardian who resides within the city
- 6 limits, shall enroll the child of the parent or guardian in a school
- 7 located in the City of La Palma without regard to the attendance
- 8 boundaries of the high school district. The high school district
- 9 from which the pupil transfers shall send all school records of the
- 10 pupil to the new school in accordance with state law. A pupil
- 11 attending a school in the City of La Palma pursuant to this section
- 12 has the same right to continue to attend the school as any other
- 13 pupil who otherwise satisfies the residency requirements of the
- 14 high school district.
- 15 SEC. 2. The Legislature finds and declares that a special law
- 16 is necessary and that a general law cannot be made applicable
- 17 within the meaning of Section 16 of Article IV of the California

1 *Constitution because of the number of school districts that serve*
2 *the residents of the City of La Palma in the County of Orange and*
3 *the antiquated school district boundaries within the city.*

4 *SEC. 3. If the Commission on State Mandates determines that*
5 *this act contains costs mandated by the state, reimbursement to*
6 *local agencies and school districts for those costs shall be made*
7 *pursuant to Part 7 (commencing with Section 17500) of Division*
8 *4 of Title 2 of the Government Code.*

9 ~~SECTION 1. Section 48354 of the Education Code is amended~~
10 ~~to read:~~

11 ~~48354. (a) The parent of a pupil enrolled in a low-achieving~~
12 ~~school may submit an application for the pupil to attend a school~~
13 ~~in a school district of enrollment pursuant to this article.~~

14 ~~(b) (1) Consistent with the requirements of Section~~
15 ~~1116(b)(1)(E) of the federal Elementary and Secondary Education~~
16 ~~Act of 2001 (20 U.S.C. Sec. 6301 et seq.), on or before the first~~
17 ~~day of the school year, or, if later, on the date the notice of program~~
18 ~~improvement, corrective action, or restructuring status is required~~
19 ~~to be provided under federal law, the district of residence shall~~
20 ~~provide the parents and guardians of all pupils enrolled in a school~~
21 ~~determined in subdivision (a) of Section 48352 with notice of the~~
22 ~~option to transfer to another public school served by the school~~
23 ~~district of residence or another school district.~~

24 ~~(2) An application requesting a transfer pursuant to this article~~
25 ~~shall be submitted by the parent of a pupil to the school district of~~
26 ~~enrollment before January 1 of the school year preceding the school~~
27 ~~year for which the pupil is requesting to transfer. The school district~~
28 ~~of enrollment may waive the deadline specified in this paragraph.~~

29 ~~(3) The application deadline specified in paragraph (2) does not~~
30 ~~apply to an application requesting a transfer if the parent, with~~
31 ~~whom the pupil resides, is enlisted in the military and was relocated~~
32 ~~by the military within 90 days before submitting the application.~~

33 ~~(4) The application may request enrollment of the pupil in a~~
34 ~~specific school or program within the school district of enrollment.~~

35 ~~(5) A pupil may enroll in a school in the school district of~~
36 ~~enrollment in the school year immediately following the approval~~
37 ~~of his or her application.~~

38 ~~(6) In order to provide priority enrollment opportunities for~~
39 ~~pupils residing in the school district, a school district of enrollment~~

- 1 shall establish a period of time for resident pupil enrollment before
- 2 accepting transfer applications pursuant to this article.

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