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AB-1097 Pupil instruction: credit recovery programs: report. (2019-2020)

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Assembly Bill No. 1097

CHAPTER 451

An act to amend Section 1983 of, and to add and repeal Section 33318.1 of, the Education Code, relating to pupil instruction.

[Approved by Governor October 02, 2019. Filed with Secretary of State October 02, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1097, Holden. Pupil instruction: credit recovery programs: report.

Existing law establishes a system of public elementary and secondary schools in this state, and authorizes local educational agencies throughout the state to operate schools and provide instruction to pupils in kindergarten and grades 1 to 12, inclusive. Existing law establishes the State Department of Education, under the administration of the Superintendent of Public Instruction, and assigns to the department numerous duties relating to the financing, governance, and guidance of the public elementary and secondary schools in this state.

This bill would require the department, on or before July 1, 2021, to provide a report to the Governor and the Legislature regarding the use of programs that enable pupils to recover credits not earned due to unsuccessful attempts in courses in California public schools, including certain information about the operation of those programs and the pupils participating in those programs.

Existing law authorizes a county board of education to establish and maintain one or more community schools. Existing law requires that pupils enrolled in community schools be assigned to classes or programs deemed most appropriate for reinforcing or reestablishing educational development, including, but not limited to, basic educational skill development, on-the-job training, school credit recovery assistance, tutorial assistance, and individual guidance activities.

This bill, for purposes of those county community schools classes and programs, would define "school credit recovery assistance" to refer to a pupil passing, and receiving credit for, a course that the pupil previously attempted, but for which the pupil was unsuccessful in earning academic credit towards graduation.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1983 of the Education Code is amended to read:

1983. (a) Pupils enrolled in county community schools shall be assigned to classes or programs deemed most appropriate for reinforcing or reestablishing educational development.

(b) These classes or programs may include, but need not be limited to, basic educational skill development, on-the-job training, school credit recovery assistance, tutorial assistance, and individual guidance activities.

(c) To the extent that independent study is determined to satisfy the individually planned educational program described in subdivision (d) for a pupil attending a county community school, it shall meet all the requirements of Article 5.5 (commencing with Section 51745) of Chapter 5 of Part 28 of Division 4 of Title 2, including the requirement that entry into that program is voluntary.

(d) An individually planned educational program based upon an educational assessment shall be prescribed for each pupil.

(e) The course of study of a county community school shall be adopted by the county board of education and shall enable each pupil to continue academic work leading to the completion of a regular high school program.

(f) Pursuant to Part 30 (commencing with Section 56000) of Division 4 of Title 2, Chapter 33 (commencing with Section 1400) of Title 20 of the United States Code, and accompanying state and federal regulatory provisions, county boards of education operating county community schools shall ensure that assessments are administered in all areas of suspected disability and appropriate services and programs, as specified in a pupil's individualized education program, are provided.

(g) County boards of education operating county community schools shall ensure that appropriate services and programs designed to address the language needs of pupils identified as English learners are provided in compliance with all applicable state and federal laws and regulatory provisions.

(h) For purposes of this section, "school credit recovery assistance" refers to a pupil passing, and receiving credit for, a course that the pupil previously attempted, but for which the pupil was unsuccessful in earning academic credit towards graduation. The pupil can recover the credit by satisfying requirements for the course in which they were unsuccessful and can focus on earning credit based on competency in the content standards for that particular course. Credit recovery programs aim to help schools graduate more pupils by giving pupils who have fallen behind the chance to recover credits through a multitude of different strategies. Different programs allow pupils to work on their credit recovery classes over the summer, on school breaks, after school, on weekends, at home on their own, at night in school computer labs, online, or even during the schoolday.

SEC. 2. Section 33318.1 is added to the Education Code, to read:

33318.1. (a) On or before July 1, 2021, the department shall provide a report to the Governor and the Legislature regarding the use of credit recovery programs in California public schools. The report shall include all of the following:

(1) Information about local educational agencies operating credit recovery programs, including, but not limited to, both of the following:

(A) The number and location of credit recovery programs.

(B) Whether credit recovery programs are delivered over the summer, on school breaks, after school, on weekends, at pupils' homes, at night in school computer labs, online, or during the schoolday.

(2) Information about pupils participating in credit recovery programs, including, but not limited to, all of the following:

(A) The number of pupils enrolled in credit recovery programs.

(B) Demographic information about pupils enrolled in credit recovery programs, including low-income status, special education status, English learner status, age, race, and ethnicity.

(C) Outcomes of pupils who have enrolled in credit recovery programs, including the number of credits earned, graduation rates, dropout rates, and transfer rates.

(b) For purposes of this section, the following definitions apply:

(1) "Credit recovery" refers to a pupil passing, and receiving credit for, a course that the pupil previously attempted, but for which the pupil was unsuccessful in earning academic credit towards graduation. The pupil can recover the credit by satisfying requirements for the course in which they were unsuccessful and can focus on earning credit based on competency in the content standards for that particular course. Credit recovery programs aim to help schools graduate more pupils by giving pupils who have fallen behind the chance to recover credits through a multitude of different strategies. Different programs allow pupils to work on their credit recovery classes over the summer, on school breaks, after school, on weekends, at home on their own, at night in school computer labs, online, or even during the schoolday.

(2) "Local educational agency" means a school district, county office of education, or charter school.

(c) (1) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(2) Pursuant to Section 10231.5 of the Government Code, this section shall become inoperative on July 1, 2025, and, as of January 1, 2026, is repealed.