
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair

2015 - 2016 Regular

Bill No: SB 597

Author: Huff

Version: February 27, 2015

Hearing Date: April 8, 2015

Urgency: No

Fiscal: Yes

Consultant: Olgalilia Ramirez

Subject: Pupil attendance: interdistrict transfers

SUMMARY

This bill extends, for one year, the sunset and repeal dates of statute that allows the governing board of a school district to permit the enrollment of pupils who reside in another district by declaring to be a District of Choice (DOC).

BACKGROUND

Existing law authorizes the governing board of a school board to declare themselves a DOC willing to accept a specified number of inter-district transfers. A DOC is required to select pupils through a random and unbiased process that prohibits enrollment based upon academic or athletic talent. Priority is given to siblings of children already in attendance in the DOC and children of military personnel. As a condition of participating in the program, either the district of residence or DOC may prevent a transfer if the transfer would exacerbate racial segregation.

(Education Code § 48300 et. seq.)

Existing law also requires each DOC to keep records of: 1) The number of requests granted, denied, or withdrawn as well as the reasons for the denials; 2) The number of pupils transferred out of the district, as specified; and 3) The number of pupils transferred into the district, as specified. DOCs are required to annually report this information to neighboring school districts, their county office of education, the Superintendent of Public Instruction (SPI) and Department of Finance, as specified. The Department of Finance is required to make the information available to the Legislative Analyst. The Legislative Analyst is required to conduct a comprehensive evaluation of the DOC program, as specified, and submit the evaluation, along with recommendations, to the appropriate legislative education policy committees, and the Governor by November 1, 2014. This section is scheduled to sunset July 1, 2016. (EC § 48300 et. seq.)

ANALYSIS

This bill extends the inoperative date from July 1, 2016 to July 1, 2017 and the repeal date from January 1, 2017 to January 1, 2018 for which the governing board of a school district is permitted to enroll students who reside in another district by declaring themselves a School District of Choice.

STAFF COMMENTS

1. **Need for the bill.** The District of Choice (DOC) program, established in 1993, is scheduled to sunset July 1, 2016. According to the author, many school districts enroll a significant number of students from outside of their district boundaries through the DOC program. As result, ending the program could cause a decline in enrollment for several small school districts.
2. **Data collection and program evaluation.** Delays in the data collection process have stalled the DOC program evaluation along with recommendations for its extension. In addition to the records mentioned in the background, existing law requires the evaluation to incorporate the following information; the number and characteristics of pupils who use the school district of choice option, the enrollment of school districts of residence and school districts of choice and the fiscal health of school districts of residence and school districts of choice, as specified. The statute required the evaluation to be completed and submitted by November 1, 2014. The Department of Education, in March 2015, disseminated a letter to all school districts requesting DOC's to self-identify and provide data required by existing law.

It seems reasonable to extend the program until the evaluation is complete and a recommendation is provided by LAO. For the purposes of ensuring, the evaluation is submitted within a reasonable time frame, **Staff recommends** updating the completion and submission date from November 1, 2014 to November 1, 2015 per Section 48316 of the Education Code.

3. **Prior legislation.**

SB 680 (Romero and Huff, 2009) extended the inoperative and repeal dates for which school districts are permitted to enroll pupils who reside in another school district by declaring to be a “school district of choice,” and repealed the prohibition on new districts electing to become a DOC.

AB 1407 (Huffman, 2009) would have extended the sunset and repeal dates for the DOC programs for 5 years and required a census report on DOC by California Department of Education by November 2010. The bill was held on the Assembly Appropriations Committee suspense file.

AB 270 (Huff, 2007) would have extended the authority for DOC inter-district transfers from July 1, 2007 to July 1, 2009, prohibited additional districts from becoming DOCs, and required school districts (electing to accept transfers) to maintain records on the number of requests it receives and annually report the number of requests it receives to the Superintendent of Public Instruction. The language of this bill was incorporated into SB 80 (Budget Bill, 2007).

AB 97 (Nation, 2004) extended the sunset date for one year for the DOC authorization and required the SPI to continue the calculation for the Special Disabilities Adjustment using the current incidence multiplier to allow special

education local plan areas to continue to receive funds provided through 2003-04 until a new multiplier is calculated.

AB 19 (Quackenbush, 1993) established school DOC and allowed the governing board of any school district to declare the district to be a DOC willing to accept a specified number of inter-district transfers.

SUPPORT

Alexander Valley Union School District
Glendora Unified School District
Inyo County Superintendent of Schools
Mendocino Unified School District
Riverside Unified School District
Round Valley Joint Elementary School
Round Valley Parent Teacher Organization
Round Valley School Step Foundation
San Rafael City Schools
Vista Del Mar Union School District
Walnut Valley Unified School District

OPPOSITION

None received.

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