[MS-0087-002.013.018]

Assembly Bill No. 724

CHAPTER 1765

An act to add Sections 5002 and 5003 to the Education Code, relating to pupil enrollment.

[Approved by Governor December 16, 1971. Filed with Secretary of State December 16, 1971.]

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

SECTION 1. Section 5002 is added to the Education Code, to read:

5002. It is the declared policy of the Legislature that persons or agencies responsible for the establishment of school attendance centers or the assignment of pupils thereto shall prevent and eliminate racial and ethnic imbalance in pupil enrollment. The prevention and elimination of such imbalance shall be given high priority in all decisions relating to school sites, school attendance areas, and school attendance practices.

SEC. 2. Section 5003 is added to the Education Code, to read:

5003. (a) In carrying out the policy of Section 5002, consideration shall be given to the following factors:

(1) A comparison of the numbers and percentages of pupils of each racial and ethnic group in the district with their numbers and percentages in each school and each grade.

(2) A comparison of the numbers and percentages of pupils of each racial and ethnic group in certain schools with those in other schools in adjacent areas of the district.

(3) Trends and rates of population change among racial and ethnic groups within the total district, in each school, and in each grade.

(4) The effects on the racial and ethnic composition of each school and each grade of alternate plans for selecting or enlarging school sites, or for establishing or altering school attendance areas and school attendance practices.

(b) The governing board of each school district shall periodically, at such time and in such form as the Department of Education shall prescribe, submit statistics sufficient to enable a determination to be made of the numbers and percentages of the various racial and ethnic groups in every public school under the jurisdiction of each such governing board.

(c) For purposes of Section 5002 and this section, a racial or ethnic imbalance is indicated in a school if the percentage of pupils of one or more racial or ethnic groups differs significantly from the districtwide percentage.

(d) A district shall study and consider plans which would result in alternative pupil distributions which would remedy such an imbalance upon a finding by the Department of Education that the percentage of pupils of one or more racial or ethnic groups in a school differs significantly from the district-wide percentage. A district undertaking such a study may consider among feasibility factors the following:

(1) Traditional factors used in site selection, boundary determination, and school organization by grade level.

(2) The factors mentioned in subdivision (a) of this section.

(3) The high priority established in Section 5002.

(4) The effect of such alternative plans on the educational programs in that district.

In considering such alternative plans the district shall analyze the total educational impact of such plans on the pupils of the district. Reports of such a district study and resulting plans of action, with schedules for implementation, shall be submitted to the Department of Education, for its acceptance or rejection, at such time and in such form as the department shall prescribe. The department shall determine the adequacy of alternative district plans and implementation schedules and shall report its findings as to the adequacy of alternative district plans and implementation schedules to the State Board of Education. A summary report of the findings of the department pursuant to this section shall be submitted to the Legislature each year.

(e) The State Board of Education shall adopt rules and regulations to carry out the intent of Section 5002 and this section.

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Office of Schools Attorney
San Diego Unified School District
4100 Normal Street
San Diego, California 92103

Assembly Bill No. 725

CHAPTER 1766

An act relating to the Department of Education.

[Approved by Governor December 16, 1971. Filed with Secretary of State December 16, 1971.]

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

SECTION 1. For the purpose of assisting school districts in carrying out the policy of Section 5002 of the Education Code as specified in Section 5003 of the Education Code during the 1971–1972 fiscal year, the Department of Education shall utilize federal funds to the extent that such funds are, or become, available for such purposes.

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Office of Schools Attorney
San Diego Unified School District
4100 Normal Street
San Diego, California 92103