

**Senate Bill No. 1442**  
CHAPTER 436

An act to amend and repeal Section 52244 of the Education Code, relating to pupil instruction.

[Approved by Governor September 24, 2006.  
Filed with Secretary of State September 24, 2006.]  
Legislative Counsel's Digest

SB 1442, Escutia. Schools: examination fees.

Existing law establishes a 5-year pilot grant program, administered by the State Department of Education, for the purpose of awarding grants to cover the costs of advanced placement examination fees. Existing law authorizes school districts to apply to the department for grant funding under the program based on the number of economically disadvantaged pupils in the district who will take the next offered advanced placement examinations. Existing law repeals those provisions on January 1, 2008.

This bill would amend the program to authorize the department to award grants to cover the costs of International Baccalaureate examination fees, as specified, in addition to the costs of advanced placement examination fees for certain eligible high school pupils, as defined. The bill would require funding priority be given to advanced placement examination fees if there is insufficient funding allocated to the grant program in a given fiscal year. The bill would require the department to make every effort to obtain and allocate federal funding for the purposes of the program prior to expending any state funds and require all federal and state funds obtained by the department for the purposes of the program to be expended for those purposes only and prohibit those funds from being used to fund any other program. The bill would also extend the repeal date of the program to January 1, 2013.

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

SECTION 1.

Section 52244 of the Education Code is amended to read: 52244. (a) There is hereby established a grant program for the purpose of awarding grants to cover the costs of advanced placement fees or International Baccalaureate examination fees, or both, for eligible economically disadvantaged high school pupils. The department shall administer this program.

(b) An "eligible economically disadvantaged high school pupil" means a pupil who is either from a family whose household annual income is below 200 percent of the federal poverty level or a pupil who is eligible for a federal free or reduced price meal program.

(c) Any school district may apply to the department for grant funding pursuant to this section, based on the number of economically disadvantaged pupils in the district enrolled in advanced placement courses who will take the next offered advanced placement examinations. A school district that applies to the department for this purpose shall designate school district staff to whom pupils may submit applications for grants and shall institute a plan to notify pupils of the availability of financial assistance pursuant to this section. Grants shall be expended only to pay the fees required of eligible economically disadvantaged high school pupils to take an advanced placement or International Baccalaureate examination, or both.

(d) Any eligible economically disadvantaged high school pupil who is enrolled in an advanced placement or International Baccalaureate course, or both, may apply to the designated school district staff for a grant pursuant to this section. A pupil who receives a grant shall pay five dollars (\$5) of the examination fee.

(e) School districts and county superintendents of schools may join together and form collaboratives or consortia in order to participate in the grant program established by this section.

(f) Grants provided pursuant to this section may not be used to supplant fee waivers available to low-income pupils who take advanced placement or International Baccalaureate examinations.

(g) If the total school district applications exceed the total funds available pursuant to this section, the department shall prorate the grants based upon the ratio of the total amount requested to the total amount budgeted by the state for this purpose. Funding priority shall be given to advanced placement examination fees if there is insufficient funding allocated for the grant program in a given fiscal year.

(h) To facilitate program administration and school district reimbursement, the department may enter into a contract with the provider of advanced placement or International Baccalaureate examinations. For purposes of the contract authorized pursuant to this subdivision, the department is exempt from the requirements of Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code and from the requirements of Article 6 (commencing with Section 999) of Chapter 6 of Division 4 of the Military and Veterans Code.

(i) The department shall make every effort to obtain and allocate federal funding for the purposes of this program prior to expending any state funds. All state and federal funds obtained by the department for the purposes of this program shall be expended for these purposes only and are prohibited from being used to fund any other program.

(j) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.