

AMENDED IN SENATE AUGUST 5, 2002

AMENDED IN SENATE JUNE 12, 2002

AMENDED IN ASSEMBLY APRIL 18, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2403

Introduced by Assembly Member Steinberg

February 21, 2002

An act to ~~amend Sections 52052 and 52054 of~~ *add Sections 10611 and 49084 to* the Education Code, relating to ~~school accountability schools.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2403, as amended, Steinberg. ~~School accountability: foster youth Schools:~~ *foster children.*

(1) Existing law provides that the function of the California Education Information System is to establish, conduct, and keep up to date a basic, integrated statewide information system for education and defines the California Basic Educational Data System report as the report transmitted by public educational agencies to the State Department of Education for purposes of the California Education Information System.

This bill would require the California Basic Educational Data System report to include the number of foster children enrolled in education programs maintained by county superintendents of schools and school districts. The bill would require collection of this information to comply with specified privacy provisions. By requiring school districts and county superintendents of schools to report this

information to the State Department of Education, the bill would impose a state-mandated local program.

(2) Existing law requires the California School Information Services program administrator to submit to the State Board of Education a plan to administer, coordinate, and manage the development and implementation of an electronic statewide school information system to address current problems of information exchange. Existing law requires the plan to prescribe the set of statewide data elements and codes to be implemented by the California School Information Services and requires these data elements and codes to comply with specified privacy provisions.

This bill would require foster child status to be included as a data element in the electronic statewide school information system administered by the California School Information Services.

(3) 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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

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 requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index (API) to measure the performance of schools, especially the performance of pupils, and to demonstrate comparable achievement in academic improvement by all numerically significant ethnic and socioeconomically disadvantaged subgroups within schools. Existing law requires the pupil data collected for the API to be disaggregated by special education status, English language learner status, socioeconomic status, gender, and ethnic group.~~

~~Existing law establishes the Immediate Intervention/Underperforming Schools Program, in which schools that are determined to be low-performing schools based on API results may participate. Schools that participate in the II/USP are required to develop an action plan to improve the academic performance of the schools' pupils. The action plan is required to consider disaggregated~~



~~data regarding pupil achievement, including information regarding the achievement of English language learners, pupils with exceptional needs, pupils who qualify for free and reduced-price meals, and all pupils by race, ethnicity, and gender.~~

~~This bill would require pupil data collected for the API and data used for action plans to be disaggregated also for foster children.~~

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

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

1 ~~SECTION 1.—Section 52052 of the Education Code is~~
2 SECTION 1. Section 10611 is added to the Education Code,
3 to read:
4 10611. (a) Notwithstanding Section 10608, the California
5 Basic Educational Data System report shall include the number of
6 foster children enrolled in education programs maintained by
7 county superintendents of schools and school districts.
8 (b) Collection of information pursuant to this section shall
9 comply with Sections 49061 to 49079, inclusive, and Sections
10 49602 and 56347, with Sections 430 to 438, inclusive, of Title 5 of
11 the California Code of Regulations, with the Information
12 Practices Act of 1977 (Chapter 1 (commencing with Section 1798)
13 of Title 1.8 of Part 4 of Division 3 of the Civil Code), and with the
14 Family Education Rights and Privacy Act (20 U.S.C. Secs. 1232g
15 and 1232h) and related federal regulations.
16 SEC. 2. Section 49084 is added to the Education Code, to
17 read:
18 49084. Foster child status shall be a data element included in
19 the electronic statewide school information system administered
20 by the California School Information Services pursuant to this
21 article.
22 SEC. 3. Notwithstanding Section 17610 of the Government
23 Code, if the Commission on State Mandates determines that this
24 act contains costs mandated by the state, reimbursement to local
25 agencies and school districts for those costs shall be made
26 pursuant to Part 7 (commencing with Section 17500) of Division
27 4 of Title 2 of the Government Code. If the statewide cost of the
28 claim for reimbursement does not exceed one million dollars



1 (\$1,000,000), reimbursement shall be made from the State
2 Mandates Claims Fund.

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All matter omitted in this version of the bill appears in the bill as amended in the Senate June 12, 2002 (JR 11)

