

AMENDED IN SENATE APRIL 10, 2002

AMENDED IN SENATE MARCH 11, 2002

SENATE BILL

No. 1310

Introduced by Senator Alpert

January 23, 2002

An act to amend Sections 52052, 52055.5, and 52055.51 of, ~~and~~ to add Section 52055.52 to, *and to repeal Section 52052.3 of*, the Education Code, relating to school accountability, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1310, as amended, Alpert. School accountability: sanctions.

Existing

(1) *Existing* law establishes the Public Schools Accountability Act of 1999 which contains the Immediate Intervention/Underperforming Schools Program (IIUSP) and the High Priority Schools Grant Program for Low Performing Schools and requires the Superintendent of Public Instruction to develop an Academic Performance Index (API) to measure the performance of schools and to develop expected annual percentage growth targets for all schools based on their API baseline score.

Existing law requires the API to consist of a variety of indicators currently reported to the State Department of Education including, but not limited to, the results of achievement tests and high school exit examinations, and provides that only the test scores of pupils who were enrolled in a school district in the prior fiscal year may be included in the test results reported in the API.

This bill would instead provide that only the test scores of pupils who were counted as part of a school district's enrollment in the October California Basic Educational Data System's data collection for the prior fiscal year and were continuously enrolled during that year may be included in the test results reported in the API.

(2) Existing law requires the test scores of pupils who are in the first year of enrollment in a high school district, but who, in the prior year, were enrolled in an elementary school district that normally matriculates to the high school district, to be included in the API.

This bill would repeal these provisions.

*(3) Existing law deems a school that does not meet its growth targets within prescribed periods and fails to show significant growth to be a low-performing school and subjects that school to various sanctions, including the assumption by the Superintendent of Public Instruction of all the legal rights, duties, and powers of the governing board with respect to that school, ~~and~~ reassignment of the principal, *and other specified actions.**

This bill would recast the various sanctions. The bill would specify additional requirements relating to an entity chosen to assume the management of a school, including requiring the school district to pay the costs of the entity chosen to assume management of the school, thereby creating a state-mandated local program.

~~This~~

The bill would set deadlines regarding the sanctions applied to low-performing schools, allow the Superintendent of Public Instruction to place a trustee at a low-performing school, and specify the duties and obligations of the school district with regard to a low-performing school. The bill would subject a school with incomplete data and no ~~available~~ published API due to testing irregularities or any other data ~~related~~ issue for one or more 12-month periods, to specified API calculations and, for schools with unresolved data problems, to the sanctions to which a low-performing school is subject, ~~or authorize the Superintendent of Public Instruction to require the school district to contract with a school assistance and intervention team.~~ The bill would specify the conditions under which a low-performing school is required or authorized to be relieved from the sanctions.

~~This~~

(4) 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.

(5) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. 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 *amended to read:*

3 52052. (a) (1) By July 1, 1999, the Superintendent of Public
4 Instruction, with approval of the State Board of Education, shall
5 develop an Academic Performance Index (API), to measure the
6 performance of schools, especially the academic performance of
7 pupils, and to demonstrate comparable improvement in academic
8 achievement by all numerically significant ethnic and
9 socioeconomically disadvantaged subgroups within schools.

10 (2) For purposes of this section, a numerically significant
11 ethnic or socioeconomically disadvantaged subgroup is a
12 subgroup that constitutes at least 15 percent of a school's total
13 pupil population and consists of at least 30 pupils. An ethnic or
14 socioeconomically disadvantaged subgroup of at least 100 pupils
15 constitutes a numerically significant subgroup, even if the
16 subgroup does not constitute 15 percent of the total enrollment at
17 a school. For schools whose API scores are based on test scores of
18 no fewer than 11 and no more than 99 pupils, numerically
19 significant subgroups shall be defined by the Superintendent of
20 Public Instruction, with approval by the State Board of Education.

21 (3) The API shall consist of a variety of indicators currently
22 reported to the State Department of Education including, but not
23 limited to, the results of the achievement test administered
24 pursuant to Section 60640, attendance rates for pupils and
25 certificated school personnel for elementary schools, middle



1 schools, and secondary schools, and the graduation rates for pupils
2 in secondary schools.

3 (A) The pupil data collected for the API that comes from the
4 achievement test administered pursuant to Sections 60640 and
5 60644 and the high school exit examination administered pursuant
6 to Section 60851, when fully implemented, shall be disaggregated
7 by special education status, English language learners,
8 socioeconomic status, gender and ethnic group. Only the test
9 scores of pupils who were ~~enrolled in a school district in the prior~~
10 ~~fiscal year~~ *counted as part of a school district's enrollment in the*
11 *October California Basic Educational Data System's data*
12 *collection for the prior fiscal year and were continuously enrolled*
13 *during that year* may be included in the test results reported in the
14 API. Results of the achievement test and other tests specified in
15 subdivision (b) shall constitute at least 60 percent of the value of
16 the index.

17 (B) Before including high school graduation rates and
18 attendance rates in the index, the Superintendent of Public
19 Instruction shall determine the extent to which the data are
20 currently reported to the state and the accuracy of the data.

21 (C) If the Superintendent of Public Instruction determines that
22 accurate data for these indicators is not available, the
23 Superintendent of Public Instruction shall report to the Governor
24 and the Legislature by September 1, 1999, and recommend
25 necessary action to implement an accurate reporting system.

26 (b) Pupil scores from the following tests, when available and
27 when found to be valid and reliable for this purpose, shall be
28 incorporated into the API:

29 (1) The assessment of the applied academic skills matrix test
30 developed pursuant to Section 60604.

31 (2) The nationally normed test designated pursuant to Section
32 60642.

33 (3) The standards-based achievement tests provided for in
34 Section 60642.5.

35 (4) The high school exit examination.

36 (c) Based on the API, the Superintendent of Public Instruction
37 shall develop, and the State Board of Education shall adopt,
38 expected annual percentage growth targets for all schools based on
39 their API baseline score from the previous year. Schools are
40 expected to meet these growth targets through effective allocation



1 of available resources. For schools below the statewide API
2 performance target adopted by the State Board of Education
3 pursuant to subdivision (d), the minimum annual percentage
4 growth target shall be 5 percent of the difference between a
5 school's actual API score and the statewide API performance
6 target, or one API point, whichever is greater. Schools at or above
7 the statewide API performance target shall have, as their growth
8 target, maintenance of their API score above the statewide API
9 performance target. However, the State Board of Education may
10 set differential growth targets based on grade level of instruction
11 and may set higher growth targets for the lowest performing
12 schools because they have the greatest room for improvement. To
13 meet its growth target, a school shall demonstrate that the annual
14 growth in its API is equal to or more than its schoolwide annual
15 percentage growth target and that all numerically significant
16 ethnic and socioeconomically disadvantaged subgroups, as
17 defined in subdivision (a) of Section 52052, are making
18 comparable improvement.

19 (d) Upon adoption of state performance standards by the State
20 Board of Education, the Superintendent of Public Instruction shall
21 recommend, and the State Board of Education shall adopt, a
22 statewide API performance target that includes consideration of
23 performance standards and represents the proficiency level
24 required to meet the state performance target. When the API is
25 fully developed, schools must, at a minimum, meet their annual
26 API growth targets to be eligible for the Governor's Performance
27 Award Program as set forth in Section 52057. The State Board of
28 Education may establish additional criteria that schools must meet
29 to be eligible for the Governor's Performance Awards Program.

30 (e) Beginning in June 2000, the API shall be used for both of
31 the following:

32 (1) Measuring the progress of schools selected for participation
33 in the Immediate Intervention/Underperforming Schools Program
34 pursuant to Section 52053.

35 (2) Ranking all public schools in the state for the purpose of the
36 High Achieving/Improving Schools Program pursuant to Section
37 52056.

38 (f) (1) A comprehensive high school, middle school, or
39 elementary school with 11 to 99 valid test scores of pupils who
40 were enrolled in a school within the same school district in the



1 prior fiscal year shall receive an API score with an asterisk that
2 indicates less statistical certainty than API scores based on 100 or
3 more test scores.

4 (2) A school under the jurisdiction of a county board of
5 education or a county superintendent of schools, a community day
6 school, or an alternative school, including continuation high
7 schools and opportunity schools, may receive an API score if the
8 school has 11 more or more valid test scores and the school chooses
9 to receive an API score for at least three years.

10 (3) A school that participates in the Immediate
11 Intervention/Underperforming Schools Program described in
12 Section 52053 shall receive an API score for the duration of its
13 participation in that program, unless the Superintendent of Public
14 Instruction determines that an API score would be an invalid
15 measure of the school's performance for one or more of the
16 following reasons:

17 (A) Irregularities in testing procedures occurred.

18 (B) The data used to calculate the school's API score are not
19 representative of the pupil population at the school.

20 (C) Significant demographic changes in the school's pupil
21 population render year-to-year comparisons of pupil performance
22 invalid.

23 (D) The Department of Education discovers or receives
24 information indicating that the integrity of the school's API score
25 has been compromised.

26 (g) Only schools with 100 or more test scores contributing to
27 the API may be included in the API rankings.

28 (h) By July 1, 2000, the Superintendent of Public Instruction,
29 with the approval of the State Board of Education, shall develop
30 an alternative accountability system for schools with fewer than
31 100 test scores contributing to the schools' API scores, and for
32 schools under the jurisdiction of a county board of education or a
33 county superintendent of schools, community day schools, and
34 alternative schools serving high-risk pupils, including
35 continuation high schools and opportunity schools.

36 *SEC. 2. Section 52052.3 of the Education Code is repealed.*

37 ~~52052.3. Test scores of pupils who are in the first year of~~
38 ~~enrollment in a high school district, but who, in the prior year, were~~
39 ~~enrolled in an elementary school district that normally~~



1 ~~matriculantes to the high school district, shall be included in the~~
2 ~~Academic Performance Index, as provided in Section 52052.~~

3 *SEC. 3.* Section 52055.5 of the Education Code is amended to
4 read:

5 52055.5. (a) Twenty-four months after receipt of funding
6 pursuant to Section 52054.5, a school that has not met its growth
7 targets each year, but demonstrates significant growth, as
8 determined by the State Board of Education, shall continue to
9 participate in the program for an additional year and to receive
10 funding in the amount specified in Section 52054.5. Thirty-six
11 months after receipt of funds pursuant to Section 52054.5, a school
12 is no longer eligible to receive funding pursuant to that section.

13 (b) Twenty-four months after receipt of funding pursuant to
14 Section 52054.5, a school that has not met its growth targets each
15 year and has failed to show significant growth, as determined by
16 the State Board of Education, shall be deemed a low-performing
17 school. The State Board of Education shall make its final
18 determination regarding whether or not a school shows significant
19 growth no later than 30 days after the public release of a school's
20 base API results. Notwithstanding any other provision of law,
21 within 90 days after the public release of the school's base API
22 results, the Superintendent of Public Instruction ~~shall assume all~~
23 ~~the legal rights, duties, and powers of the governing board with~~
24 ~~respect to that school, subject to the provisions of subdivision (c).~~
25 ~~The Superintendent of Public Instruction, in consultation with the~~
26 ~~State Board of Education and the governing board of the school~~
27 ~~district, shall reassign the principal of that school subject to the~~
28 ~~findings in subdivision (d). In addition to reassigning the principal,~~
29 ~~the Superintendent of Public Instruction, in consultation with the~~
30 ~~State Board of Education, shall, notwithstanding any other~~
31 ~~provision of law, do at least one of the following:~~

32 ~~(1)~~, *in consultation with the State Board of Education, shall do*
33 *one or more of the following:*

34 (1) *Assume all the legal rights, duties, and powers of the*
35 *governing board with respect to that school, subject to the*
36 *provisions of subdivision (c).*

37 (2) *Reassign the principal of that school, subject to the findings*
38 *in subdivision (d).*

39 (3) *Revise attendance options for pupils to allow them to attend*
40 *any public school in which space is available. If additional*



1 attendance options are made available, nothing in this option shall
2 be construed to require either the sending or receiving school
3 district to incur additional transportation costs.

4 ~~(2)~~

5 (4) Allow parents to apply directly to the State Board of
6 Education for the establishment of a charter school and allow
7 parents to establish the charter school at the existing schoolsite.

8 ~~(3)~~

9 (5) Under the supervision of the Superintendent of Public
10 Instruction, assign, for a period not to exceed five years, the
11 management of the school to a college, university, county office
12 of education, or other appropriate educational institution. *The*
13 *entity chosen to assume management of the school shall possess*
14 *the qualifications specified in subdivision (b) of Section 52055.51.*
15 *The costs of the entity to manage the school shall be established*
16 *by contract and shall be paid by the school district.* However, the
17 Superintendent of Public Instruction may not assume the
18 management of the school.

19 ~~(4)~~

20 (6) Reassign other certificated employees of the school.

21 ~~(5)~~

22 (7) Renegotiate a new collective bargaining agreement at the
23 expiration of the existing collective bargaining agreement,
24 pursuant to Section 3543.2 of the Government Code.

25 ~~(6)~~

26 (8) Reorganize the school.

27 ~~(7)~~

28 (9) Close the school.

29 ~~(8)~~

30 (10) Place a trustee at the school who shall ~~direct and approve~~
31 ~~the spending of site-based resources and shall supervise~~
32 ~~curriculum and instruction, including the work of individual~~
33 ~~classroom teachers.~~ *monitor and review the operation of the*
34 *school. During the period of his or her service, the trustee may stay*
35 *or rescind any action of the governing board of the school district*
36 *or schoolsite principal that, in the judgment of the trustee, may*
37 *affect the conditions of the school. The salary and benefits of the*
38 *trustee shall be established by the Superintendent of Public*
39 *Instruction and shall be paid by the school district.*



1 (c) After a school is deemed to be a low-performing school, in
2 that it has failed to make significant growth, pursuant to
3 subdivision (b), the governing board of the school district shall do
4 all of the following:

5 (1) Make the same *fiscal, human, and educational* resources,
6 at a minimum, available to the schoolsite as were available before
7 the action taken pursuant to subdivision (b). If the total amount of
8 resources available to the school district differs from one year to
9 another, it shall make the same proportion of resources available
10 to the schoolsite as ~~were~~ was available before the action taken
11 pursuant to subdivision (b). The Superintendent of Public
12 Instruction shall review the resources allocated to the schoolsite
13 and determine if additional resources should be made available
14 from district funds to reasonably support the schoolsite without
15 detriment to the other schools and pupils of the district.

16 (2) Continue its current ownership status with respect to the
17 schoolsite.

18 (3) Continue to provide the same insurance coverage as before
19 the action taken pursuant to subdivision (b) with respect to
20 property, liability, error and omissions, and other regularly
21 provided policies.

22 (4) Name the Superintendent of Public Instruction and the
23 State Department of Education as additional insureds upon
24 transfer of legal rights, duties, and responsibilities to the
25 Superintendent of Public Instruction.

26 (5) Continue to provide facilities support, including
27 maintenance if appropriate to the management arrangement, and
28 full schoolsite participation in bond financing.

29 (d) In addition to the actions listed in subdivision (b), the
30 Superintendent of Public Instruction, in consultation with the State
31 Board of Education, may take any other action considered
32 necessary or desirable against the school district or the school
33 district governing board, including appointment of a new
34 superintendent or suspension of the authority of the governing
35 board with respect to the school or schools identified pursuant to
36 subdivision (b).

37 (e) (1) Before the Superintendent of Public Instruction may
38 take any action against a principal pursuant to subdivision (b), the
39 Superintendent of Public Instruction or a designee of the
40 superintendent, which may be a panel consisting of the county



1 superintendent of schools of the county in which the school is
2 located, ~~and two district superintendents~~ *or an adjoining county,*
3 *and two school district superintendents with experience in a*
4 *similar type of school district,* shall hold a hearing on the matter
5 in the school district and make both of the following findings:

6 (A) A finding that the principal had the authority to take
7 specific enumerated actions that would have helped the school
8 meet its performance goals.

9 (B) A finding that the principal failed to take specific
10 enumerated actions pursuant to paragraph (1).

11 (2) Evidence to support the findings ~~may~~ *shall* be presented and
12 discussed in a closed session. The principal *or his or her*
13 *representative* and a school district representative may be present
14 in the closed session. The findings shall be made in an open, public
15 hearing.

16 ~~(f) A school with incomplete data and no available API due to~~
17 ~~testing irregularities may, upon the recommendation of the~~
18 ~~Superintendent of Public Instruction and approval of the State~~
19 ~~Board of Education, be subject to the actions of subdivision (b),~~
20 ~~(c), or (d), or the Superintendent of Public Instruction may require~~
21 ~~the school district to contract with a school assistance and~~
22 ~~intervention team subject to Section 52055.51.~~

23 (f) *For schools with incomplete data and no published API due*
24 *to testing irregularities or any other data issue for one or more*
25 *12-month periods the State Department of Education shall do all*
26 *of the following:*

27 (1) *Determine, subject to approval by the State Board of*
28 *Education, methodology for the calculation of a “Best Estimate*
29 *API” for those schools.*

30 (2) *Calculate Best Estimate Growth APIs by substituting the*
31 *lowest allowable score in place of the invalid or unavailable scores*
32 *that resulted from testing irregularities, excessive parental*
33 *waivers, or other data problems.*

34 (3) *Calculate Best Estimate Base APIs and corresponding*
35 *targets by substituting the highest allowable score in place of the*
36 *invalid or unavailable scores that resulted from testing*
37 *irregularities, excessive parental waivers, or other data problems.*
38 *Schools with no available Best Estimate Growth API due to*
39 *demographic changes, shall have modifications made to their data*
40 *as deemed necessary by the State Board of Education to calculate*



1 *an appropriate Best Estimate Growth API, and a comparable Best*
2 *Estimate Base API.*

3 (4) *Use Best Estimate APIs and targets in place of the API and*
4 *targets used in Sections 52055.5 to 52055.52, inclusive.*

5 (g) *Schools with unresolved data problems shall, upon the*
6 *recommendation of the Superintendent of Public Instruction and*
7 *the approval of the State Board of Education, be subject to the*
8 *actions specified in subdivision (b), (c), or (d).*

9 ~~(g)~~

10 (h) *A school that has not met its growth targets within 36*
11 *months of receiving funding pursuant to Section 52054.5, but has*
12 *shown significant growth, as determined by the State Board of*
13 *Education, shall continue to be monitored by the Superintendent*
14 *of Public Instruction until it meets its annual growth target or the*
15 *statewide performance target. If, in any year between the third year*
16 *of implementation funding and the first year the school meets its*
17 *growth target, the school fails to make significant growth, as*
18 *determined by the State Board of Education, that school shall be*
19 *deemed a low-performing school and subject to the provisions of*
20 *paragraphs (1) to (7), inclusive, of subdivision (b).*

21 ~~(h)~~

22 (i) *An action taken pursuant to subdivision (b), (c), or (d) shall*
23 *not increase local costs or require reimbursement by the*
24 *Commission on State Mandates.*

25 ~~(i)~~

26 (j) *An action taken pursuant to subdivision (b), (c), or (d) shall*
27 *be accompanied by specific findings by the Superintendent of*
28 *Public Instruction and the State Board of Education that the action*
29 *is directly related to the identified causes for continued failure by*
30 *a school to meet its performance goals.*

31 ~~SEC. 2.~~

32 SEC. 4. *Section 52055.51 of the Education Code is amended*
33 *to read:*

34 52055.51. (a) *Instead of the actions specified in subdivision*
35 *(c) of Section 52055.5, and notwithstanding any other provision*
36 *of law, the Superintendent of Public Instruction, with the approval*
37 *of the State Board of Education, may require the district to enter*
38 *into a contract with a school assistance and intervention team. If*
39 *the State Board of Education approves of, the governing board of*
40 *the school district retaining shall retain its legal rights, duties, and*



1 responsibilities with respect to that school, the governing board
2 shall retain those rights, duties, and responsibilities. to that school.

3 (b) ~~Team~~ *School assistance and intervention team* members
4 should possess a high degree of knowledge and skills in the areas
5 of school leadership, curriculum, and instruction aligned to state
6 academic content and performance standards, classroom
7 management and discipline, academic assessment, parent-school
8 relations, and evaluation and research-based reform strategies and
9 have proven successful expertise specific to the challenges
10 inherent in low-performing schools.

11 (c) The team shall provide intensive support and expertise to
12 implement the school reform initiatives in the plan. Decisions
13 about interventions shall be data driven. A school assistance and
14 intervention team shall work with school staff, site planning teams,
15 administrators, and district staff to improve pupil literacy and
16 achievement by assessing the degree of implementation of the
17 current action plan, refining and revising the action plan, and
18 making recommendations to maximize the use of fiscal resources
19 and personnel in achieving the goals of the plan. The district shall
20 provide support and assistance to enhance the work of the team at
21 the targeted schoolsites.

22 (d) Not later than 60 days after the school's API becomes
23 public, the team must have completed an initial report. The report
24 shall include recommendations for corrective actions chosen from
25 a range of interventions, including the reallocation of district fiscal
26 resources to ensure that appropriate resources are targeted to those
27 specific interventions identified in the recommendations of the
28 team for the targeted schools and other changes deemed
29 appropriate to make progress toward meeting the schools growth
30 target. Not later than 90 days after the API is made public, the
31 governing board of the school district shall adopt the team's
32 recommendations at a regularly scheduled meeting of the
33 governing board. The governing board may not place the adoption
34 on the consent calendar. The report shall be submitted to the
35 Superintendent of Public Instruction and State Board of
36 Education.

37 (e) No less than three times during the year, the school district
38 and schoolsite shall present the team with data regarding progress
39 toward the goals established by the team's initial assessment. The
40 data shall be presented to the governing board of the school district



1 at a regularly scheduled meeting. The team shall, to the extent
2 possible, utilize existing site data. The data shall also be provided
3 to the Superintendent of Public Instruction and State Board of
4 Education. Every effort shall be made to report this data in a
5 manner that minimizes the length and complexity of the reporting
6 requirement in order to maximize the focus on improving pupil
7 literacy and achievement.

8 (f) An action taken pursuant to this paragraph shall not increase
9 local costs or require reimbursement by the Commission on State
10 Mandates.

11 ~~SEC. 3.~~

12 *SEC. 5.* Section 52055.52 is added to the Education Code, to
13 read:

14 52055.52. (a) Upon achieving its growth target in two ~~out of~~
15 ~~three~~ consecutive years, the Superintendent of Public Instruction
16 may relieve a school from an action taken pursuant to subdivision
17 (b) of Section 52055.5 or subdivision (a) of Section 52055.51
18 unless the school becomes a charter school pursuant to paragraph
19 (2) of subdivision (b) of Section 52055.5 or management for that
20 school is assigned for a longer period to a management entity
21 pursuant to paragraph (3) of subdivision (b) of Section 52055.5.
22 Before the Superintendent of Public Instruction may take action
23 pursuant to this subdivision, the school district shall submit a plan
24 to the State Department of Education for integrating the school
25 back into the district and for sustaining the improvements in pupil
26 achievement at the school.

27 (b) Upon achieving its growth target in at least one year and
28 with the approval of the State Board of Education, a school may
29 be relieved from an action taken pursuant to subdivision (b) of
30 Section 52055.5 or subdivision (a) of Section 52055.51.

31 (c) The Superintendent of Public Instruction may, at his or her
32 discretion and with the approval of the State Board of Education,
33 relieve a school from an action taken pursuant to subdivision (b)
34 of Section 52055.5 and assign a school assistance and intervention
35 team pursuant to Section 52055.51.

36 ~~SEC. 4.~~

37 *SEC. 6.* *Notwithstanding Section 17610 of the Government*
38 *Code, if the Commission on State Mandates determines that this*
39 *act contains costs mandated by the state, reimbursement to local*
40 *agencies and school districts for those costs shall be made*



1 *pursuant to Part 7 (commencing with Section 17500) of Division*
2 *4 of Title 2 of the Government Code. If the statewide cost of the*
3 *claim for reimbursement does not exceed one million dollars*
4 *(\$1,000,000), reimbursement shall be made from the State*
5 *Mandates Claims Fund.*

6 *SEC. 7.* This act is an urgency statute necessary for the
7 immediate preservation of the public peace, health, or safety
8 within the meaning of Article IV of the Constitution and shall go
9 into immediate effect. The facts constituting the necessity are:

10 In order to assist low-performing schools and the pupils
11 attending those schools at the earliest possible time, it is necessary
12 for this bill to take effect immediately.

