

AMENDED IN ASSEMBLY APRIL 30, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 925**

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**Introduced by Assembly Member Hancock**

February 22, 2007

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An act relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 925, as amended, Hancock. School accountability: proficiency.

The federal No Child Left Behind Act of 2001 requires a local educational agency to identify for program improvement an elementary or secondary school that fails, for 2 consecutive years, to make adequate yearly progress, as defined by the state. The act requires a school that continues to fail to make adequate yearly progress after being identified for program improvement to take additional corrective action or meet specified restructuring requirements.

This bill would require the Legislative Analyst's Office to ~~contract~~ *for conduct* a study to research the meaning of the term "proficiency" and *recommend a definition of that term to the Legislature by January 1, 2009*, for purposes of the federal No Child Left Behind Act of 2001 and the state Public Schools Accountability Act of 1999 and to research the effects of that meaning on pupil success in the state public school system.

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

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) With the enactment of the federal No Child Left Behind Act  
4 of 2001 (NCLB; 20 U.S.C. Sec. 6301 et seq.), the federal  
5 government created school and school district accountability  
6 requirements that measure improvements in pupil accountability  
7 based upon pupils achieving proficiency.

8 (b) The term “proficiency” is used for purposes of educational  
9 accountability at both the state and federal levels, but the use of  
10 the term in a variety of ways within the various components of the  
11 accountability system has lead to confusion by parents, teachers,  
12 and pupils.

13 (c) On January 8, 2003, the State Board of Education approved  
14 a statewide accountability proposal to implement the requirement  
15 in NCLB that schools demonstrate adequate yearly progress in  
16 ensuring that all pupils achieve proficiency in reading and math.  
17 Reed Hastings, then President of the State Board of Education,  
18 noted that pupils in California who graduate from high school at  
19 the proficient level are considered college-ready. “We applaud the  
20 high goals for individual student progress in NCLB,” Hastings  
21 said. “Even our most outstanding schools do not today meet  
22 NCLB’s mandate for 100% student proficiency in reading and  
23 math. But this is a challenge we will work hard to meet.”

24 (d) For grades 2 to 8, inclusive, the State Board of Education  
25 has defined the term “proficient” for purposes of NCLB as  
26 equivalent to scoring at the proficient or advanced levels on  
27 assessments pursuant to the state Standardized Testing and  
28 Reporting (STAR) program. For high school, the State Board of  
29 Education defined the term “proficient” for purposes of NCLB as  
30 a score on the high school exit examination that is significantly  
31 higher than the minimum passing score for the examination.

32 (e) NCLB requires an annual assessment of English language  
33 proficiency of English language learners based on the state’s  
34 English language development standards. The language proficiency  
35 of a pupil is measured in the four domains of speaking, reading,  
36 writing, and listening. Title III of NCLB holds English language  
37 learners responsible for meeting state targets for both language  
38 and academic proficiency.

1 (f) President Bush’s proposal for the reauthorization of NCLB,  
2 titled “Building on Results,” calls for each state to be held  
3 accountable for ensuring that all pupils are able to read and do  
4 math at grade level by 2014.

5 (g) The definition of the term “proficient” established by the  
6 state for purposes of academic assessments pursuant to NCLB  
7 does all of the following:

8 (1) Labels approximately two-thirds of the pupils in grades 2  
9 to 12, inclusive, in California as not proficient.

10 (2) Establishes California as one of a few states with a very  
11 large proportion of pupils who are considered not proficient  
12 pursuant to NCLB.

13 (3) Creates conflicts for pupils, parents, guardians, teachers,  
14 and administrators in understanding the expectations of the state  
15 pursuant to the state Public Schools Accountability Act of 1999  
16 (Chapter 6.1 (commencing with Section 52050) of Part 28 of the  
17 Education Code), the state high school exit examination, and  
18 NCLB.

19 (4) Contradicts the emphasis in the state Public Schools  
20 Accountability Act of 1999 and high school exit examination on  
21 increasing the performance of low-performing pupils.

22 (h) Therefore, further study is needed to determine the meaning  
23 of the term “proficiency,” the manner in which different levels of  
24 proficiency effect pupil success in meeting educational goals, and  
25 the likelihood of all pupils reaching proficiency pursuant to various  
26 definitions by the requisite deadline.

27 SEC. 2. The Legislative Analyst’s Office shall ~~contract for~~  
28 *conduct* a study to research the meaning of the term “proficiency”  
29 *and recommend a definition of that term to the Legislature* for  
30 purposes of the federal No Child Left Behind Act of 2001 (20  
31 U.S.C. Sec. 6301 et seq.) and the state Public Schools  
32 Accountability Act of 1999 (Chapter 6.1 (commencing with Section  
33 52050) of Part 28 of the Education Code) and to research the effects  
34 of that meaning on pupil success in the state public school system.  
35 The study shall include an analysis of what proficiency is, what  
36 level of performance is proficient, and the statistical probability  
37 of every pupil in California achieving proficiency by 2014. The  
38 study shall also consider and report on the amount of time required  
39 for necessary improvements to be made to the educational system  
40 that will result in all pupils achieving proficiency by the requisite

1 deadline. *In conducting the study, the Legislative Analyst’s Office*  
2 *shall convene education researchers from public and private*  
3 *universities, researchers affiliated with other organizations, and*  
4 *representatives of stakeholder groups with experience in testing*  
5 *and accountability issues. Every effort shall be made to seek input*  
6 *and expertise from a wide variety of viewpoints. By January 1,*  
7 *2009, the Legislative Analyst’s Office shall report its findings to*  
8 *the Legislature along with the recommended definition of the term*  
9 *“proficiency.”*

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