

AMENDED IN SENATE SEPTEMBER 7, 2007

AMENDED IN SENATE AUGUST 20, 2007

AMENDED IN SENATE JULY 3, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MAY 1, 2007

AMENDED IN ASSEMBLY APRIL 12, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1656**

---

---

**Introduced by Assembly Members Feuer and DeSaulnier  
(Coauthor: Assembly Member Brownley)**

February 23, 2007

---

---

An act to amend Section 60900 of, and to add Section 60902 to, the Education Code, relating to pupil achievement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1656, as amended, Feuer. Pupil achievement: California Longitudinal Pupil Achievement Data System.

Existing law requires the State Department of Education to contract for the development of proposals that will provide for the retention and analysis of longitudinal pupil achievement data on the ~~STAR~~ *Standardized Testing and Reporting (STAR)* Program, English language development tests, and the high school exit examination, known as the California Longitudinal Pupil Achievement Data System.

This bill would require the Superintendent of Public Instruction, *with the approval of the State Board of Education*, to establish and maintain a unique coding system for educational institutions, as deemed necessary

by the Superintendent, for the purpose of identifying and tracking enrollment, state and federal reporting requirements, and specified other purposes. *The state board would be required to adopt regulations necessary to implement the coding system.*

The bill would also make technical changes.

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. Section 60900 of the Education Code is amended  
2 to read:

3 60900. (a) The department shall contract for the development  
4 of proposals that will provide for the retention and analysis of  
5 longitudinal pupil achievement data on the tests administered  
6 pursuant to Chapter 5 (commencing with Section 60600), Chapter  
7 7 (commencing with Section 60810), and Chapter 9 (commencing  
8 with Section 60850). The longitudinal data shall be known as the  
9 California Longitudinal Pupil Achievement Data System.

10 (b) The proposals developed pursuant to subdivision (a) shall  
11 evaluate and determine whether it would be most effective, from  
12 both a fiscal and a technological perspective, for the state to own  
13 the system. The proposals shall additionally evaluate and determine  
14 the most effective means of housing the California Longitudinal  
15 Pupil Achievement Data System.

16 (c) The California Longitudinal Pupil Achievement Data System  
17 shall be developed and implemented in accordance with all state  
18 rules and regulations governing information technology projects.

19 (d) The system or systems developed pursuant to this section  
20 shall be used to accomplish all of the following goals:

21 (1) To provide local educational agencies and the department  
22 access to data necessary to comply with federal reporting  
23 requirements delineated in the federal No Child Left Behind Act  
24 of 2001 (20 U.S.C. Sec. 6301 et seq.).

25 (2) To provide a better means of evaluating educational progress  
26 and investments over time.

27 (3) To provide local educational agencies information that can  
28 be used to improve pupil achievement.

29 (4) To provide an efficient, flexible, and secure means of  
30 maintaining longitudinal statewide pupil level data.

1 (e) In order to comply with federal law as delineated in the  
2 federal No Child Left Behind Act of 2001, the local educational  
3 agency shall retain and maintain individual pupil records, including  
4 all of the following:

5 (1) All demographic data collected from the ~~STAR~~ *Standardized*  
6 *Testing and Reporting (STAR)* Program test, high school exit  
7 examination, and English language development test.

8 (2) Pupil achievement data from assessments administered  
9 pursuant to the STAR Program, high school exit examination, and  
10 English language development testing programs. To the extent  
11 feasible, data should include subscore data within each content  
12 area.

13 (3) A unique statewide pupil identification number to be  
14 identical to the pupil identifier developed pursuant to the California  
15 School Information Services, which shall be retained and  
16 maintained by each local educational agency and used to ensure  
17 the accuracy of information on the STAR Program test answer  
18 documents, high school exit examination, and the English language  
19 development test.

20 (4) All data necessary to compile reports required by the federal  
21 No Child Left Behind Act of 2001, including, but not limited to,  
22 dropout and graduation rates.

23 (5) Other data elements deemed necessary by the  
24 Superintendent, with approval of the state board, to comply with  
25 the federal reporting requirements delineated in the federal No  
26 Child Left Behind Act of 2001, after review and comment by the  
27 advisory board convened pursuant to subdivision (h).

28 (f) The California Longitudinal Pupil Achievement Data System  
29 shall have all of the following characteristics:

30 (1) The ability to sort by demographic element collected from  
31 the STAR Program tests, high school exit examination, and English  
32 language development test.

33 (2) The capability to be expanded to include pupil achievement  
34 data from multiple years.

35 (3) The capability to monitor pupil achievement on the STAR  
36 Program tests, high school exit examination, and English language  
37 development test from year to year and school to school.

38 (4) The capacity to provide data to the state and local educational  
39 agencies upon their request.

1 (g) Data elements and codes included in the system shall comply  
2 with Sections 49061 to 49079, inclusive, and Sections 49602 and  
3 56347, with Sections 430 to 438, inclusive, of Title 5 of the  
4 California Code of Regulations, with the Information Practices  
5 Act of 1977 (Chapter 1 (commencing with Section 1798) of Title  
6 1.8 of Part 4 of Division 3 of the Civil Code), and with the federal  
7 Family Education Rights and Privacy Act statute (20 U.S.C. Secs.  
8 1232g and 1232h) and related federal regulations.

9 (h) The department shall convene an advisory board consisting  
10 of representatives from the state board, the Secretary for Education,  
11 the Department of Finance, the State Privacy Ombudsman, the  
12 Legislative Analyst's Office, representatives of parent groups,  
13 school districts, and local educational agencies, and education  
14 researchers to establish privacy and access protocols, provide  
15 general guidance, and make recommendations relative to data  
16 elements. The department is encouraged to seek representation  
17 broadly reflective of the general public of California.

18 (i) Subject to funding being provided in the annual Budget Act,  
19 the department shall contract with a consultant for independent  
20 project oversight. The Director of Finance shall review the request  
21 for proposals for the contract. The consultant hired to conduct the  
22 independent project oversight shall twice annually submit a written  
23 report to the Superintendent, the state board, the advisory board,  
24 the Director of Finance, the Legislative Analyst, and the  
25 appropriate policy and fiscal committees of the Legislature. The  
26 report shall include an evaluation of the extent to which the  
27 California Longitudinal Pupil Achievement Data System is meeting  
28 the goals described in subdivision (b) and recommendations to  
29 improve the data system in ensuring the privacy of individual pupil  
30 information and providing the data needed by the state and local  
31 educational agencies.

32 (j) This section shall be implemented using federal funds  
33 received pursuant to the federal No Child Left Behind Act of 2001,  
34 which are appropriated for purposes of this section in Item  
35 6110-113-0890 of Section 2.00 of the Budget Act of 2002 (Chapter  
36 379 of the Statutes of 2002). The release of these funds is  
37 contingent on approval of an expenditure plan by the Department  
38 of Finance.

1 (k) For purposes of this chapter, a local educational agency shall  
2 include a county office of education, a school district, or charter  
3 school.

4 SEC. 2. Section 60902 is added to the Education Code, to read:

5 60902. (a) The Superintendent, *with the approval of the state*  
6 *board*, shall establish and maintain a unique coding system for  
7 educational institutions, as deemed necessary by the  
8 Superintendent, that includes, but is not limited to, county offices  
9 of education, school districts, public schools, charter schools, and  
10 private schools in California that enroll pupils in any of  
11 kindergarten and grades 1 to 12, inclusive.

12 (b) These unique codes shall be maintained for the purpose of  
13 identifying and tracking educational institutions for enrollment,  
14 state and federal reporting requirements, accountability, and fiscal  
15 purposes.

16 (c) The ~~Superintendent~~ *state board* shall adopt regulations  
17 necessary to implement this section.