

AMENDED IN SENATE AUGUST 20, 2010

AMENDED IN SENATE AUGUST 19, 2009

AMENDED IN SENATE JULY 23, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 97

Introduced by Assembly Member Torlakson

January 6, 2009

~~An act to amend and repeal Section 60605 of, and to add and repeal Section 60605.4 of, the Education Code, relating to school curriculum.~~
An act to add Section 60605.85 to the Education Code, relating to school curriculum.

LEGISLATIVE COUNSEL'S DIGEST

AB 97, as amended, Torlakson. School curriculum: content standards.

Existing law, operative until July 1, 2011, and to be repealed on January 1, ~~2012~~ 2014, requires the State Board of Education to adopt statewide academic content standards and performance standards, based on the recommendation of the Commission for the Establishment of Academic Content and Performance Standards and the Superintendent of Public Instruction, respectively. Existing law authorizes the state board to modify any proposed content standard or performance standard prior to its adoption.

This bill would establish the Academic Content Standards Commission for Science and History-Social Science consisting of 21 appointed

members, as specified. This bill would require the state board, upon recommendation of the Superintendent, to adopt a schedule for the commission to review and recommend revisions to the science and history-social science curriculum area content standards, when funding permits. This bill would require the state board to either adopt or reject the academic content standards as proposed by the commission within 90 days of their receipt and would also require the Superintendent and the state board to present specified information to the Governor and appropriate policy and fiscal committees of the Legislature.

~~This bill would instead repeal these provisions on January 1, 2017, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date. This bill would delete the provisions allowing the state board to modify the recommended standards prior to adoption:~~

~~The bill would require the Superintendent to convene an Academic Content and Performance Standards Review Panel for the English-language arts and mathematics curriculum area content standards adopted by the state board. Teachers appointed to the panels would be required to meet specified requirements, and in choosing members for the panels, the specified appointing authorities would be required to consult with each other to ensure that each review panel consists of members who meet prescribed requirements. The bill would require each review panel to review the content and performance standards in its particular curriculum area, and recommend changes to the state board as the review panel may deem necessary.~~

~~This bill would require the state board to hold hearings on the recommended changes to the standards, and adopt or reject the recommended changes to the standards within 120 days of receipt from the review panel, and at least 2 years prior to the adoption of the curriculum framework for the relevant subject area. The bill would require the state board, if it does not adopt the recommended changes, to provide a specific, written explanation of the reasons why the recommended changes were not adopted. The bill would authorize a review panel to modify the recommendations to correct deficiencies identified by the state board and to resubmit the recommended changes for adoption. The bill would provide that upon recommendation of the Superintendent, the state board shall adopt a schedule for reviewing the science and history-social science curriculum area content standards so they can be reviewed when funding permits, as specified. The bill would~~

not be implemented unless an appropriation is specifically enacted for the purposes of the bill.

The bill would make these provisions inoperative on January 1, 2014, and repeal them on January 1, 2015, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

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 60605.85 is added to the Education Code,
2 to read:
3 60605.85. (a) There is hereby established the Academic
4 Content Standards Commission for Science and History-Social
5 Science. The commission shall consist of 21 members, appointed
6 as follows:
7 (1) Eleven members appointed by the Governor.
8 (2) Five members appointed by the Senate Committee on Rules.
9 (3) Five members appointed by the Speaker of the Assembly.
10 (b) Members of the commission shall serve at the pleasure of
11 the appointing authority.
12 (c) Not less than half of the members appointed by each of the
13 appointing authorities pursuant to subdivision (a) shall be current
14 public school elementary or secondary classroom teachers.
15 (d) Upon recommendation of the Superintendent, the state board
16 shall adopt a schedule for the commission to review and
17 recommend revisions to the science and history-social science
18 curriculum area content standards, when funding permits.
19 (e) The commission shall develop academic content standards
20 in science and history-social science. The standards shall be
21 internationally benchmarked and build toward college and career
22 readiness by the time of high school graduation.
23 (f) Pursuant to the Bagley-Keene Open Meeting Act, (Article 9
24 commencing with Section 11120) of Division 3 of Title 2 of the
25 Government Code), all meetings and hearings of the commission
26 shall be open and available to the public.
27 (g) Within 90 days of receiving the commission's proposed
28 academic content standards, the state board shall do either of the
29 following:

1 (1) Adopt the academic content standards as proposed by the
2 commission.

3 (2) Reject the academic content standards as proposed by the
4 commission. If the state board rejects the standards it shall provide
5 a specific written explanation to the Superintendent, the Governor,
6 and the Legislature of the reasons why the proposed standards
7 were rejected.

8 (h) The Superintendent and state board shall present to the
9 Governor and to the appropriate policy and fiscal committees of
10 the Legislature a schedule and implementation plan for integrating
11 the academic content standards adopted pursuant to this section
12 into the state educational system.

13 SECTION 1. Section 60605 of the Education Code is amended
14 to read:

15 60605. (a) (1) (A) Not later than January 1, 1998, the state
16 board shall adopt statewide academically rigorous content
17 standards, pursuant to the recommendations of the Commission
18 for the Establishment of Academic Content and Performance
19 Standards, in the core curriculum areas of reading, writing, and
20 mathematics to serve as the basis for assessing the academic
21 achievement of individual pupils and of schools, school districts,
22 and the California educational system. Not later than November
23 1, 1998, the state board shall adopt these standards in the core
24 curriculum areas of history/social science and science.

25 (B) The state board shall adopt statewide performance standards
26 in the core curriculum areas of reading, writing, mathematics,
27 history/social science, and science based on the recommendations
28 made by the Superintendent of a contractor or contractors.

29 (C) The state board shall require the contractor or contractors
30 to submit performance standards to the Superintendent and the
31 state board not later than a specified date that allows sufficient
32 opportunity for the Superintendent to make a recommendation to
33 the state board and for the state board to conduct regional hearings
34 prior to the adoption of the performance standards.

35 (2) (A) The state performance standards shall be established
36 against specific grade level benchmarks of academic achievement
37 for each subject area tested, and shall be based on the knowledge
38 and skills that pupils will need in order to succeed in the
39 information-based, global economy of the 21st century. These
40 skills shall not include personal behavioral standards or skills,

1 including, but not necessarily limited to, honesty, sociability, ethics,
2 or self-esteem. The standards adopted pursuant to this section shall
3 be for the purpose of guiding state decisions regarding the
4 development, adoption, and approval of assessment instruments
5 pursuant to this chapter, and shall not mandate any actions or
6 activities by school districts.

7 (B) Because these standards are models, the adoption of these
8 standards is not subject to the Administrative Procedure Act. This
9 subparagraph is declaratory of existing law.

10 (3) Before adopting academic content and performance
11 standards, the state board shall hold regional hearings for the
12 purpose of giving parents and other members of the public the
13 opportunity to comment on the proposed standards.

14 (b) (1) The state board shall ensure that the statewide
15 assessment system adopted pursuant to this chapter yields valid,
16 reliable individual pupil scores and, if applicable, aggregate school
17 scores, school district scores, and statewide scores of pupils, and
18 assesses basic academic skills and content standards, including
19 the use of a direct writing assessment or other applied academic
20 skills if deemed valid and reliable and if resources are made
21 available for their use.

22 (2) This subdivision does not prevent the state board from
23 developing or adopting an assessment instrument that also contains
24 assessments of basic academic skills.

25 (e) To the extent feasible and as otherwise required, the state
26 board shall ensure that assessments developed, or contracted for,
27 pursuant to Section 60642.5 by the state are aligned with the
28 statewide content and performance standards adopted pursuant to
29 subdivision (a), or pursuant to Section 60605.4. The department,
30 with the approval of the state board, periodically shall contract for
31 a review of the achievement test for conformance with these
32 standards.

33 (d) After adopting statewide content and performance standards,
34 the state board shall review the existing curriculum frameworks
35 for conformity with the new statewide standards, and shall modify
36 the curriculum frameworks, if appropriate, to bring them into
37 alignment with the standards.

38 (e) The state board shall adopt regulations for the conduct and
39 administration of the testing and assessment program.

1 (f) ~~The state board shall adopt a regulation for minimum security~~
2 ~~procedures that test and assessment publishers and school districts~~
3 ~~shall follow to ensure the security and integrity of test and~~
4 ~~assessment questions and materials.~~

5 (g) ~~Notwithstanding Section 60601, this section shall remain in~~
6 ~~effect only until January 1, 2017, and as of that date is repealed,~~
7 ~~unless a later enacted statute, that is enacted before January 1,~~
8 ~~2017, deletes or extends that date.~~

9 ~~SEC. 2. Section 60605.4 is added to the Education Code, to~~
10 ~~read:~~

11 ~~60605.4. (a) The Superintendent shall convene an Academic~~
12 ~~Content and Performance Standards Review Panel, consisting of~~
13 ~~13 members, for the English language arts and mathematics~~
14 ~~curriculum area content standards adopted pursuant to this chapter.~~

15 ~~(1) The members of each review panel shall be as follows:~~

16 ~~(A) Six members appointed by the Governor, at least four of~~
17 ~~whom shall be credentialed teachers who, in at least five of the~~
18 ~~previous seven years, have taught in California public school~~
19 ~~classrooms in the curriculum area and in those grade levels for~~
20 ~~which they are appointed.~~

21 ~~(B) The Superintendent, or his or her designee.~~

22 ~~(C) Four members appointed by the Superintendent, at least~~
23 ~~three of whom shall be credentialed teachers who, in at least five~~
24 ~~of the previous seven years, have taught in California public school~~
25 ~~classrooms in the curriculum area and in those grade levels for~~
26 ~~which they are appointed.~~

27 ~~(D) One member appointed by the Senate Committee on Rules.~~

28 ~~(E) One member appointed by the Speaker of the Assembly.~~

29 ~~(2) Members of each panel shall serve a two-year term at the~~
30 ~~pleasure of the appointing authority.~~

31 ~~(3) It is the intent of the Legislature that the membership of each~~
32 ~~review panel include, but not necessarily be limited to, parents,~~
33 ~~classroom teachers, representatives of the business community,~~
34 ~~and individuals with expertise in the curriculum areas included~~
35 ~~within the content standards.~~

36 ~~(4) In making appointments to each review panel, the appointing~~
37 ~~authorities specified in paragraph (1) of subdivision (a) shall~~
38 ~~consult with each other to ensure that each review panel consists~~
39 ~~of all of the following:~~

- 1 ~~(A) Individuals with expertise in the academic subject matter~~
2 ~~under review.~~
- 3 ~~(B) Individuals who are knowledgeable about the following:~~
4 ~~(i) Urban and rural schools.~~
5 ~~(ii) English learners.~~
6 ~~(iii) Special education.~~
- 7 ~~(C) Individuals from different geographical areas of the state.~~
- 8 ~~(D) Individuals who reflect the ethnic and gender diversity of~~
9 ~~California.~~
- 10 ~~(b) Each Academic Content and Performance Standards Review~~
11 ~~Panel shall review the content standards and performance standards~~
12 ~~approved by the state board to ensure that the standards meet all~~
13 ~~of, but are not limited to, the following:~~
- 14 ~~(1) Are measurable and objective.~~
15 ~~(2) Reflect the knowledge and skills necessary for California's~~
16 ~~workforce to be competitive in the global, information-based~~
17 ~~economy of the 21st century.~~
- 18 ~~(3) Are comparable in rigor to academic content and~~
19 ~~performance standards used in the school systems of America's~~
20 ~~global economic competitors.~~
- 21 ~~(4) Provide the basis for statewide assessments.~~
22 ~~(5) Provide for continuity in content between grade levels.~~
- 23 ~~(e) Each Academic Content and Performance Standards Review~~
24 ~~Panel shall review the content and performance standards~~
25 ~~established in its particular curriculum area, and shall recommend~~
26 ~~changes to the state board as it may deem necessary.~~
- 27 ~~(d) If an Academic Content and Performance Standards Review~~
28 ~~Panel recommends changes to the content or performance standards~~
29 ~~in its particular curriculum area, it shall forward the recommended~~
30 ~~changes to the state board. The state board shall hold hearings on~~
31 ~~the recommended changes to the standards. The state board shall~~
32 ~~adopt or reject the recommended changes to the standards within~~
33 ~~120 days of their receipt from a review panel, and at least two~~
34 ~~years prior to the adoption of curriculum frameworks for the~~
35 ~~relevant subject area.~~
- 36 ~~(e) If the recommended changes to the content or performance~~
37 ~~standards submitted by an Academic Content and Performance~~
38 ~~Standards Review Panel are rejected, the state board shall provide~~
39 ~~a specific, written explanation of the reasons why the submitted~~
40 ~~recommendations were not adopted. The review panel may modify~~

1 the recommendations to correct deficiencies identified by the state
2 board, and may resubmit recommended changes for adoption by
3 the state board.

4 ~~(f) A member of an Academic Content and Performance~~
5 ~~Standards Review Panel shall serve without compensation, except~~
6 ~~for reimbursement for actual and necessary travel expenses.~~

7 ~~(g) Upon recommendation of the Superintendent, the state board~~
8 ~~shall adopt a schedule for reviewing the science and history-social~~
9 ~~science curriculum area content standards so they can be reviewed,~~
10 ~~when funding permits, pursuant to the process established in this~~
11 ~~section.~~

12 ~~(h) This section shall not be implemented unless an~~
13 ~~appropriation is provided specifically for the purposes of this~~
14 ~~section in the annual Budget Act or another statute.~~

15 ~~(i) Notwithstanding Section 60601, this section shall become~~
16 ~~inoperative on January 1, 2014, and as of January 1, 2015, is~~
17 ~~repealed, unless a later enacted statute, that is enacted before~~
18 ~~January 1, 2015, deletes or extends that date.~~