

**Assembly Bill No. 429**

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Passed the Assembly September 11, 2009

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*Chief Clerk of the Assembly*

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Passed the Senate September 10, 2009

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to amend Section 52052.5 of the Education Code, relating to public school accountability.

## LEGISLATIVE COUNSEL'S DIGEST

AB 429, Brownley. Public school accountability: advisory committee.

Existing law requires the Superintendent of Public Instruction to establish an advisory committee to advise on all appropriate matters relative to the creation of the Academic Performance Index and the implementation of the Immediate Intervention/Underperforming Schools Program and the High Achieving/Improving Schools Program. Existing law requires the committee to make recommendations to the Superintendent on the appropriateness and feasibility of a methodology for generating a measurement of academic performance by using unique pupil identifiers and annual academic achievement growth to provide a more accurate measure of a school's academic achievement growth over time.

This bill would require the committee, by January 1, 2011, to make recommendations to the Superintendent for the establishment of a methodology for measuring a school's academic achievement growth and a pupil's academic achievement growth more accurately and validly over time. This bill would require the committee to consider a specified pilot study of academic growth measures in making its recommendations to the Superintendent, and that the recommendations be consistent with specified federal laws. The Superintendent would be required to immediately forward the committee's recommendations to specified state entities.

This bill would provide that specific provisions of the bill would not be implemented unless and until funds are appropriated by the Legislature in the annual Budget Act or another statute.

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

SECTION 1. Section 52052.5 of the Education Code is amended to read:

52052.5. (a) The Superintendent shall establish a broadly representative and diverse advisory committee to advise the Superintendent and the state board on all appropriate matters relative to the creation of the Academic Performance Index and the implementation of the Immediate Intervention/Underperforming Schools Program and the High Achieving/Improving Schools Program. Members of the advisory committee shall serve without compensation for terms not to exceed two years. The department shall provide staff to the advisory panel.

(b) By January 1, 2011, the advisory committee established pursuant to subdivision (a) shall make recommendations to the Superintendent for the establishment of a methodology for generating a measurement of academic performance by utilizing unique pupil identifiers for pupils in kindergarten and any of grades 1 to 12, inclusive, and for developing a longitudinally valid achievement assessment system in which annual academic growth can provide a more accurate and valid measure of a school's academic achievement growth and a pupil's academic achievement growth over time.

(1) The advisory committee shall consider the pilot study of academic growth measures, pursuant to Provision 10 of Item 6110-113-0890 of Section 2.00 of the Budget Act of 2007, in making recommendations to the Superintendent for this purpose.

(2) Upon receipt, the Superintendent shall, immediately forward the recommendations of the advisory committee to the state board, the appropriate policy and fiscal committees of the Legislature, and the Department of Finance. The Superintendent shall include a cost estimate for each recommendation and a timeline for implementation.

(3) The recommendations shall be consistent with statutory, regulatory, and technical guidance from the United States Department of Education under the Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.) and the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) so as to maximize the state's funding opportunities,

including, but not limited to, state incentive grants under the Race to the Top Fund.

(c) No recommendation made pursuant to subdivision (b), or any other proposal to develop a longitudinally valid assessment system, may be implemented unless and until funds are appropriated by the Legislature in the annual Budget Act or another statute specifically for that purpose.







Approved \_\_\_\_\_, 2009

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*Governor*