

AMENDED IN ASSEMBLY JULY 1, 2009

AMENDED IN SENATE JUNE 1, 2009

AMENDED IN SENATE MAY 6, 2009

SENATE BILL

No. 651

Introduced by Senators Romero and Steinberg

February 27, 2009

An act to amend Section 52052.1 of, and to add Section 48070.6 to, the Education Code, relating to pupil retention.

LEGISLATIVE COUNSEL'S DIGEST

SB 651, as amended, Romero. Pupil retention.

Existing law requires the governing board of each school district and each county superintendent of schools to adopt policies regarding pupil promotion and retention. Existing law requires the Commission on Teacher Credentialing, the state board, and the department to provide to the State Chief Information Officer the individual nonpersonally identifiable or aggregate data related to adequate yearly progress, graduation rates, pupils who drop out of school, and demographics of pupils and teachers.

This bill would require the Superintendent, on or before August 1, 2011, and annually thereafter, to submit to the Governor, the Legislature, and the state board, a report called the Annual Report on Dropouts in California. The bill would require, among other things, the report contain specified information on dropout rates, graduation rates, pupil promotion rates, course enrollment patterns, and behavioral data. The bill would require that the report include data from the most recent year and, at a minimum, the two prior years. The bill would also require the Superintendent to make an oral presentation of the contents of the report

to the state board and to make the contents of the report available on the department's Internet Web site. The bill would state the intent of the Legislature that the report be usable by specified groups for analyzing the high rate of dropouts in California.

Existing law, operative only if local educational agencies receive a per pupil allocation prior to the 2010–11 fiscal year for implementation of the California Longitudinal Pupil Achievement Data System, as specified, requires, beginning July 1, 2011, that the Academic Performance Index (API) for a school or school district include test scores and other data from pupils who were referred to alternative education programs and include school and school district dropout rates, as specified.

This bill would remove the requirement that local educational agencies receive the specified allocation in order for these provisions to become operative.

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 48070.6 is added to the Education Code,
- 2 to read:
- 3 48070.6. (a) On or before August 1, 2011, and annually
- 4 thereafter, *utilizing data produced by the California Logitudinal*
- 5 *Pupil Achievement Data System pursuant to Section 60900 and*
- 6 *other available data*, the Superintendent shall submit to the
- 7 Governor, the Legislature, and the state board, a report that shall
- 8 be called the Annual Report on Dropouts in California. The report
- 9 shall include, but not be limited to, all of the following:
- 10 (1) ~~One-year-adjusted dropout rates for~~ *dropout rates for each*
- 11 *of grades 7 to 12, inclusive.*
- 12 (2) ~~Four-year-derived cohort~~ dropout rates for grades 9 to 12,
- 13 inclusive.
- 14 (3) ~~Two- or three-year-derived cohort~~ dropout rates, as
- 15 appropriate, for middle schools.
- 16 (4) Grade 9 to grade 10 promotion rates.
- 17 (5) ~~Percentage of high school pupils at each grade level for each~~
- 18 *of grades 9 to 12, inclusive*, who are on track to earn sufficient
- 19 credits to graduate ~~in four years~~.

- 1 (6) The average number of nonpromotional school moves that
2 a pupil makes *pupils make* between grades 6 to 12, inclusive.
- 3 (7) “Full-year” dropout rates for alternative schools.
- 4 (8) California High School Exit Examination (CAHSEE)
5 passage rates.
- 6 (9) Other available data relating to dropout or graduation rates
7 or pupil progress toward high school graduation.
- 8 ~~(b) When cohort dropout rates can be calculated accurately~~
9 ~~using longitudinal data, the rates described in paragraph (2) of~~
10 ~~subdivision (a) shall be replaced by dropout rates for cohorts of~~
11 ~~pupils entering high school.~~
- 12 ~~(e)~~
- 13 (b) When cohort dropout rates can be calculated accurately
14 using longitudinal data, the rates described in paragraph (3) of
15 subdivision (a) shall be replaced by dropout rates for cohorts of
16 pupils entering middle school.
- 17 ~~(d)~~
- 18 (c) When data is available, the report shall also include all of
19 the following:
- 20 (1) Rates at which pupils graduate in four, five, and six years,
21 pursuant to subparagraph (A) of paragraph (4) of subdivision (a)
22 of Section 52052.
- 23 ~~(2) Course enrollment patterns by school and school district,~~
24 ~~including college preparatory curriculum and career technical~~
25 ~~education.~~
- 26 (2) *Percentage of high school graduates and dropouts who*
27 *completed courses that are certified by the University of California*
28 *as meeting admission requirement criteria for the University of*
29 *California and California State University systems.*
- 30 (3) *Percentage of high school graduates and dropouts who*
31 *completed two or more classes in career technical education.*
- 32 (4) *Percentage of high school graduates and dropouts who*
33 *completed both course sequences described in paragraphs (2) and*
34 *(3).*
- 35 ~~(3)~~
- 36 (5) Behavioral data by school and district, including suspensions
37 and expulsions.
- 38 ~~(4) Truancy rates.~~
- 39 (6) *Truency rates.*
- 40 (7) *GED earning rates.*

1 (e) If possible, the data listed in subdivisions (a) and (b) shall
2 be presented in the report, organized as follows:

- 3 (1) By state.
- 4 (2) By county.
- 5 (3) By district.
- 6 (4) By school.

7 (f) The report shall include data from alternative middle and
8 high schools, including continuation high schools, community day
9 schools, juvenile court schools, special schools, opportunity
10 schools, and schools attended by wards of the Department of
11 Corrections and Rehabilitation, Division of Juvenile Justice.

12 (g) The report may include relevant data on school climate and
13 pupil engagement from the California Healthy Kids Survey.

14 (h) If possible, the data listed in subdivisions (a) and (b) shall
15 be presented for the following subgroups, if the subgroup consists
16 of at least 50 pupils ~~each of whom has a valid test score~~, and the
17 subgroup constitutes at least 15 percent of the total population of
18 pupils at a school ~~who have valid test scores~~:

- 19 (1) Grade level.
- 20 (2) Ethnicity.
- 21 (3) Gender.
- 22 (4) ~~Socioeconomic~~ *Low Socioeconomic* status.
- 23 ~~(5) Limited English proficiency.~~
- 24 (5) *English learners*.
- 25 (6) ~~Disability~~ *Special education* status.

26 ~~(i) The report shall include data from the most recent year and,~~
27 *(i) The first Annual Report on Dropouts in California shall*
28 *include data from the most recent year. Subsequent annual reports*
29 *shall include data from the most recent year and, at a minimum,*
30 *the two prior years, so that comparisons can be made easily.*

31 (j) The Superintendent or his or her designee shall make an oral
32 presentation of the contents of the report to the state board at a
33 regularly scheduled meeting of the board.

34 (k) The Superintendent shall make the contents of the report
35 available on the department's Internet Web site in a format that is
36 easy for the public to access and understand.

37 (l) If inclusion of school-level data would render the written
38 report unwieldy, the data may be omitted from the written report
39 and posted on the department's Internet Web site.

1 (m) It is the intent of the Legislature that the report prepared by
2 the Superintendent be usable by schools, districts, policymakers,
3 researchers, parents, and the public, for purposes of identifying
4 and understanding trends, causal relations, early warning indicators,
5 and potential points of intervention to address the high rate of
6 dropouts in California.

7 (n) *For purposes of this section, dropouts shall be defined using*
8 *the exit/withdrawal codes developed by the department.*

9 SEC. 2. Section 52052.1 of the Education Code is amended to
10 read:

11 52052.1. (a) Beginning July 1, 2011, in addition to the test
12 scores specified in subparagraph (B) of paragraph (4) of subdivision
13 (a) of Section 52052, the Academic Performance Index (API) for
14 a school or school district shall do all of the following:

15 (1) Include the test scores and other accountability data of
16 enrolled pupils who were referred by the school or school district
17 of residence to an alternative education program, including
18 community, community day, and continuation high schools and
19 independent study, and be calculated by assigning all accountability
20 data on pupils in alternative education programs, including
21 community, community day, and continuation high schools and
22 independent study, to the school and school district of residence
23 to ensure that placement decisions are in the best interests of
24 affected pupils. If a pupil is referred to an alternative education
25 program by a juvenile court judge or other correctional or judicial
26 official, or if the pupil is expelled pursuant to subdivision (a), (b),
27 or (c) of Section 48915, the test scores of that pupil shall remain
28 with the alternative education program and with the school district
29 or county office of education serving that pupil. This section does
30 not prohibit the alternative education program from counting the
31 test scores of those pupils served in their alternative education
32 program. It is the intent of the Legislature that these alternative
33 education programs remain accountable to the pupils they serve.

34 (2) Exclude the test scores or other data of those pupils exempt
35 pursuant to federal statute or federal regulation.

36 (3) Include school and school district dropout rates for pupils
37 who drop out of school while enrolled in grade 8 or 9. If reliable
38 data is not available by July 1, 2011, the Superintendent, on or
39 before that date, shall report to the Legislature the reasons for the

1 delay and date he or she anticipates the specified dropout rates
2 will be included in the API.

3 (b) The advisory committee established pursuant to Section
4 52052.5 shall recommend to the Superintendent and the state board
5 all of the following:

6 (1) The length of time for which the accountability data on
7 pupils in alternative education programs shall be assigned to the
8 school and school district of residence pursuant to paragraph (1)
9 of subdivision (a).

10 (2) Whether it is appropriate to assign accountability data to the
11 school or the school district, pursuant to paragraph (1) of
12 subdivision (a), if the pupil never attended the school of residence
13 or has been absent for more than one year from the school district
14 of residence due to placement in another school or school district
15 or out of state.