

AMENDED IN SENATE AUGUST 30, 2011

AMENDED IN SENATE JUNE 14, 2011

AMENDED IN ASSEMBLY MARCH 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 180**

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**Introduced by Assembly Member Carter**  
**(Coauthors: Assembly Members Ammiano, Dickinson, Furutani,**  
**and V. Manuel Pérez)**  
**(Coauthors: Senators Lowenthal and Negrete McLeod)**

January 24, 2011

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An act to add *and repeal* Section 52052.3~~to~~ of the Education Code, relating to academic performance.

### LEGISLATIVE COUNSEL'S DIGEST

AB 180, as amended, Carter. Education: academic performance.

Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop an Academic Performance Index (API) ~~and~~, as part of the Public School Performance Accountability Program, to measure the performance of schools, especially the academic performance of pupils. The API consists of a variety of indicators including specified achievement test scores, attendance rates, and graduation rates. Existing law requires the Superintendent, with approval of the state board, to develop an alternative accountability system for specified types of schools, including, among others, community day schools and continuation schools. Existing law allows these schools to receive an API score, but prohibits them from being included in the API rankings of schools.

This bill, *until January 1, 2017*, would require the Superintendent and the state board, as part of the alternative accountability system for schools, to allow ~~a no more than 10 dropout recovery high-school schools~~, as defined, to report the results of an individual pupil growth model that is proposed by the school and certified by the Superintendent pursuant to specified criteria instead of reporting other indicators.

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) Dropout recovery high schools provide significant social,~~  
4     ~~economic, and academic benefits to their pupils and to California's~~  
5     ~~population as a whole.~~  
6     ~~(b) Research by the Alliance for Excellent Education~~  
7     ~~demonstrates that if only one-half of the dropouts were recovered~~  
8     ~~in California's six largest metropolitan areas, the economic benefits~~  
9     ~~to California would be staggering: those recovered dropouts would~~  
10    ~~invest an additional \$247 million a year; increase home sales by~~  
11    ~~\$2.92 billion during their careers; support an additional 6,800 jobs~~  
12    ~~to the midpoint of their careers; and increase state and local tax~~  
13    ~~revenues by \$129 million every year.~~  
14    ~~(c) Research further demonstrates that reengaged learners~~  
15    ~~demonstrate higher civic engagement, contribute to the cultural~~  
16    ~~strengths of their communities, and are significantly less likely to~~  
17    ~~be unemployed, on public assistance, or arrested for a violent~~  
18    ~~crime.~~  
19    ~~(d) Research further demonstrates that dropout recovery high~~  
20    ~~schools face a number of challenges in reengaging pupils into~~  
21    ~~academic endeavors, including:~~  
22    ~~(1) Dropouts who reenter high school are significantly below~~  
23    ~~grade level.~~  
24    ~~(2) Pupils who drop out display a gradual process of~~  
25    ~~disengagement from school that encompasses years of academic~~  
26    ~~and behavioral difficulties, absenteeism, and stressful life~~  
27    ~~circumstances.~~  
28    ~~(3) Reengagement into a high school setting can be difficult~~  
29    ~~and take a significant amount of time.~~

1     ~~(4) Pupils who have dropped out once are significantly more~~  
2     ~~likely to drop out again. Research by WestEd found that one-half~~  
3     ~~of the dropouts who return to school stay for one year or less and~~  
4     ~~that one-third of returning dropouts fail to complete even one~~  
5     ~~course after they reenroll. The school district WestEd studied had~~  
6     ~~a graduate rate of 18 percent for recovered dropouts.~~

7     ~~(e) Successful dropout recovery high schools utilize multiple~~  
8     ~~strategies including state-of-the-art technology and career technical~~  
9     ~~education to reach the variety of learning modalities of the~~  
10    ~~population that they serve.~~

11    ~~(f) Successful dropout recovery schools typically enroll pupils~~  
12    ~~for less than four years, provide competency-based rather than seat~~  
13    ~~time-based instruction, and operate with open entry or open exit~~  
14    ~~enrollment.~~

15    ~~(g) Standardized testing depends on all pupils being present on~~  
16    ~~a fixed schedule with learning competencies within a narrower~~  
17    ~~band of averages than represented by dropouts. Research by the~~  
18    ~~National Governor's Association recognizes that seat time~~  
19    ~~education in the dropout recovery context is a substantial and~~  
20    ~~unnecessary barrier. The use of competency-based and open entry~~  
21    ~~strategies result in dropout recovery pupils not being in school at~~  
22    ~~the time that standardized tests are administered.~~

23    ~~(h) Support for successful dropout recovery high schools should~~  
24    ~~include an alternative assessment mechanism that measures the~~  
25    ~~individual growth in pupils that can be administered at the school~~  
26    ~~level when pupils are available.~~

27    ~~SEC. 2.~~

28    ~~SECTION 1.~~ Section 52052.3 is added to the Education Code,  
29    ~~to read:~~

30    52052.3. (a) As part of the alternative accountability system  
31    for schools developed pursuant to subdivision (h) of Section 52052,  
32    the Superintendent and the state board shall allow *a no more than*  
33    ~~10 dropout recovery high school schools~~, as defined in subdivision  
34    (b), to report, in lieu of other indicators, the results of an individual  
35    pupil growth model that is proposed by the school and certified  
36    by the Superintendent pursuant to subdivision (c).

37    (b) For purposes of this section, "dropout recovery high school"  
38    means a school offering instruction in any of grades 9 to 12,  
39    inclusive, in which 50 percent or more of its pupils are designated  
40    as dropouts pursuant to the exit and withdrawal codes developed

1 by the department and the school provides instruction in partnership  
2 with any of the following:

3 (1) The federal Workforce Investment Act of 1998 (29 U.S.C.  
4 Sec. 2801 et seq.).

5 (2) Federally affiliated Youthbuild programs (42 U.S.C. Sec.  
6 12899 et seq.).

7 (3) Federal job corps training or instruction provided pursuant  
8 to a memorandum of understanding with the federal provider.

9 (4) The California Conservation Corps or local conservation  
10 corps certified by the California Conservation Corps pursuant to  
11 Section 14406 or 14507.5 of the Public Resources Code.

12 (c) The Superintendent shall review the individual pupil growth  
13 model proposed by the dropout recovery high school and certify  
14 that model if it meets all of the following criteria:

15 (1) The model measures learning based on valid and reliable  
16 nationally normed or criterion-referenced reading and mathematics  
17 tests.

18 (2) The model measures skills and knowledge aligned with state  
19 standards.

20 (3) The model measures the extent to which a pupil scored above  
21 an expected amount of growth based on the individual pupil's  
22 initial achievement score.

23 (4) The model demonstrates the extent to which a school is able  
24 to accelerate learning on an annual basis.

25 (d) *This section shall remain in effect only until January 1, 2017,*  
26 *and as of that date is repealed, unless a later enacted statute, that*  
27 *is enacted before January 1, 2017, deletes or extends that date.*