

AMENDED IN ASSEMBLY MAY 3, 2011
AMENDED IN ASSEMBLY APRIL 14, 2011
AMENDED IN ASSEMBLY MARCH 31, 2011
CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1368

Introduced by Assembly Member Pan

February 18, 2011

An act to add Section 49417 to the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 1368, as amended, Pan. Pupils: California Healthy Kids Survey.

Existing law requires the Commission on Teacher Credentialing, the State Board of Education, and the State Department of Education to provide to the State Chief Information Officer the individual nonpersonally identifiable or aggregate data related to, among other things, pupil assessment and accountability, including, but not limited to, data generated from, or related to, adequate yearly progress, graduation rates, pupils who drop out of school, and demographics of pupils and teachers.

Existing law requires the Superintendent of Public Instruction, on or before August 1, 2011, and annually thereafter, to submit to the Governor, the Legislature, and the ~~State Board of Education~~ *state board* a report called the Annual Report on Dropouts in California. Existing law requires the report to include specified information and authorizes the report to include relevant data on school climate and pupil engagement from the California Healthy Kids Survey.

This bill would establish the California Healthy Kids Survey, which would be intended to collect data on specified pupil perceptions. The

bill would require a school district, to the extent that funding is made available, to administer the California Healthy Kids Survey on a ~~biannual~~ *biennial* basis to pupils in grades 5, 7, 9, and 11, and would require a school district to comply with specified parent and guardian notification and consent provisions prior to administering the survey, thereby imposing a state-mandated local program. *The bill would also require that the data collected by the California Healthy Kids Survey be confidential and anonymous.*

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

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

- 1 SECTION 1. Section 49417 is added to the Education Code,
- 2 to read:
- 3 49417. (a) The California Healthy Kids Survey is hereby
- 4 established, which is intended to collect data on pupil perceptions
- 5 of school climate, school safety, and pupil health.
- 6 (b) Except as provided for in subdivision (c), and to the extent
- 7 that funding is made available for this purpose, a school district
- 8 shall administer the California Healthy Kids Survey on a ~~biannual~~
- 9 *biennial* basis to pupils in grades 5, 7, 9, and 11.
- 10 (c) Prior to administering the California Healthy Kids Survey,
- 11 a school district shall comply with the parent and guardian
- 12 notification and consent provisions contained in Section 51513
- 13 and subdivision (b) of Section 51938.
- 14 (d) *Data collected through the California Healthy Kids Survey*
- 15 *shall be confidential and anonymous.*
- 16 SEC. 2. If the Commission on State Mandates determines that
- 17 this act contains costs mandated by the state, reimbursement to
- 18 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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