

**Senate Bill No. 512**

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Passed the Senate August 30, 2011

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*Secretary of the Senate*

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Passed the Assembly August 18, 2011

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

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

An act to add Section 52052.05 to the Education Code, relating to school accountability.

## LEGISLATIVE COUNSEL'S DIGEST

SB 512, Price. Academic Performance Index: pupil subgroups: performance data.

Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API) to measure school and pupil performance. Existing law requires a school to demonstrate comparable improvement in academic achievement as measured by the API by all numerically significant pupil subgroups at the school, including ethnic subgroups, socioeconomically disadvantaged pupils, English learners, and pupils with disabilities. For purposes of these provisions, existing law defines a numerically significant pupil subgroup as one that either consists of at least 50 pupils each of whom has a valid test score, or one that constitutes at least 15% of the total population of pupils at a school who have valid test scores, except as specified.

This bill would require that reporting conducted pursuant to these provisions include performance data for pupil subgroups consisting of 10 or more pupils with valid test scores. The bill would require that reporting conducted pursuant to these provisions for any pupil subgroup that is not numerically significant, as defined, be marked with an asterisk that indicates less statistical certainty than data based on a numerically significant subgroup. The bill would require that this reporting be conducted in accordance with specified federal privacy laws, and would state the Legislature's intent that this data not be used for federal or state accountability purposes.

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

SECTION 1. Section 52052.05 is added to the Education Code, to read:

52052.05. (a) Reporting conducted pursuant to Section 52052 shall include performance data for any pupil subgroup, pursuant to the categories designated in paragraph (2) of subdivision (a) of Section 52052, that includes 10 or more pupils with valid test scores.

(b) Reporting conducted pursuant to this section for any pupil subgroup that is not numerically significant, as defined in paragraph (3) of subdivision (a) of Section 52052, shall be marked with an asterisk that indicates less statistical certainty than data based on a numerically significant subgroup.

(c) Reporting conducted pursuant to this section shall be in accordance with both state and federal law protecting pupil privacy, including, but not limited to, the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g), and any regulations adopted pursuant to that act.

(d) It is the intent of the Legislature that the reporting conducted pursuant to this section be for reporting purposes only, and not be used for purposes of federal and state accountability.

(e) Nothing in this section shall be construed to modify any reporting requirements pursuant to Section 52052 for numerically significant pupil subgroups, as defined in paragraph (3) of subdivision (a) of Section 52052.

Approved \_\_\_\_\_, 2011

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*Governor*