

AMENDED IN ASSEMBLY APRIL 10, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 815

Introduced by Assembly Member Conway

*(Coauthors: Assembly Members Allen, Beth Gaines, Gorell, Harkey,
Jones, Morrell, Nestande, and Wilk)*

February 21, 2013

An act to amend Section 53300 of the Education Code, relating to school intervention.

LEGISLATIVE COUNSEL'S DIGEST

AB 815, as amended, Conway. School intervention: parent empowerment.

Existing law requires a local educational agency to implement one of several specified interventions for a school not identified as a persistently lowest-achieving school that, after one full school year, is subject to corrective action, as specified, and fails to meet specified criteria and has a specified percentage of parents and legal guardians of pupils sign a petition requesting the local educational agency to implement at least one of 5 specified interventions. Existing law requires a local educational agency to implement the intervention option requested by the petition unless the agency makes a specified finding in a regularly scheduled public hearing.

This bill would delete the provision excluding schools identified as persistently lowest-achieving schools, and would also make the provisions applicable to schools ranked in deciles 1 to 3, inclusive, of the Academic Performance Index. The bill would make technical

changes by updating cross-references. By imposing additional duties on school districts, the bill would impose a state-mandated local program.

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 53300 of the Education Code is amended
 2 to read:
 3 53300. For any school that, after one full school year, is subject
 4 to corrective action pursuant to Section 6316(b)(7) of the federal
 5 Elementary and Secondary Education Act (20 U.S.C. Sec. 6301
 6 ~~et seq.~~ *et seq.*), and continues to fail to make adequate yearly
 7 progress, and has an Academic Performance Index (API) score of
 8 less than 800, or any school ranked in any of deciles 1 to 3,
 9 inclusive, of the API and where at least one-half of the parents or
 10 legal guardians of pupils attending the school, or a combination
 11 of at least one-half of the parents or legal guardians of pupils
 12 attending the school and the elementary or middle schools that
 13 normally matriculate into a middle or high school, as applicable,
 14 sign a petition requesting the local educational agency to implement
 15 one or more of the four interventions identified pursuant to
 16 paragraphs (1) to (4), ~~inclusive~~ *inclusive*, of subdivision (a) of
 17 Section 53202 or the federally mandated alternative governance
 18 arrangement pursuant to Section 6316(b)(8)(B)(v) of the federal
 19 Elementary and Secondary Education Act (20 U.S.C. Sec. 6301
 20 et seq.), the local educational agency shall implement the option
 21 requested by the parents unless, in a regularly scheduled public
 22 hearing, the local educational agency makes a finding in writing
 23 stating the reason it cannot implement the specific recommended
 24 option and instead designates in writing which of the other options
 25 described in this section it will implement in the subsequent school

1 year consistent with requirements specified in federal regulations
2 and guidelines for schools subject to restructuring under Section
3 6316(b)(8) of the federal Elementary and Secondary Education
4 Act (20 U.S.C. Sec. 6301 et seq.) and regulations and guidelines
5 for the four interventions.

6 SEC. 2. If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.

O