

ASSEMBLY BILL

No. 1159

Introduced by Assembly Members Blumenfield and Bloom

February 22, 2013

An act to amend Sections 60607 and 60641 of, and to add Sections 60810.5 and 60851.5 to, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 1159, as introduced, Blumenfield. Pupils: achievement data: charter schools.

Existing law establishes various programs for measuring pupil achievement, including the Standardized Testing and Reporting (STAR) Program, the high school exit examination, and English language development testing programs. Existing law requires that each pupil have an individual record of accomplishment by the end of grade 12 that includes the results of specified achievement tests, end-of-course exams, and vocational education certification exams. Existing law requires that pupil results or a record of accomplishment be private, and prohibits the release to any person without express written parental consent, subject to certain exceptions.

This bill would require the State Department of Education to provide to a school district that is the chartering authority of a charter school, in accordance with a specified federal law relating to the disclosure of pupil records, individual pupil achievement data, including test results from the STAR Program, high school exit examination, and English language development tests, as well as pupil demographic data and program data, relating to pupils who attend the charter school, except as specified. The bill would require the department to provide this data,

to the extent it has the data, along with the unique pupil identification number of each of those pupils, to the school district.

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 60607 of the Education Code is amended
2 to read:

3 60607. (a) Each pupil shall have an individual record of
4 accomplishment by the end of grade 12 that includes the results
5 of the achievement test required and administered annually as part
6 of the Standardized Testing and Reporting (STAR) Program
7 established pursuant to Article 4 (commencing with Section
8 60640), results of end-of-course exams he or she has taken, and
9 the vocational education certification exams he or she chose to
10 take.

11 (b) It is the intent of the Legislature that school districts and
12 schools use the results of the academic achievement tests
13 administered annually as part of the statewide pupil assessment
14 program to provide support to pupils and parents or guardians in
15 order to assist pupils in strengthening their development as learners,
16 and thereby to improve their academic achievement and
17 performance in subsequent assessments.

18 (c) (1) Any pupil results or a record of accomplishment shall
19 be private, and may not be released to any person, other than the
20 pupil’s parent or guardian and a teacher, counselor, or administrator
21 directly involved with the pupil, without the express written consent
22 of either the parent or guardian of the pupil if the pupil is a minor,
23 or the pupil if the pupil has reached the age of majority or is
24 emancipated.

25 (2) (A) Notwithstanding paragraph (1), a pupil or his or her
26 parent or guardian may authorize the release of pupil results or a
27 record of accomplishment to a postsecondary educational
28 institution for the purposes of credit, placement, or admission.

29 (B) Notwithstanding paragraph (1), the results of an individual
30 pupil on the California Standards Test may be released to a
31 postsecondary educational institution for the purposes of credit,
32 placement, or admission.

1 (C) Notwithstanding paragraph (1), the department shall provide
2 to a school district individual pupil demographic data, program
3 data, and achievement data, including, but not limited to, the
4 results of the standards-based achievement tests that are part of
5 the STAR Program, relating to pupils who attend a charter school
6 for which the school district is the chartering authority, but shall
7 not include data from a charter school that is described in
8 subdivision (g) of Section 47605.1. To the extent this data is
9 available, the department shall provide the data to the school
10 district, along with the unique pupil identification number of each
11 of those pupils, in accordance with the federal Family Educational
12 Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g).

13 SEC. 2. Section 60641 of the Education Code is amended to
14 read:

15 60641. (a) The department shall ensure that school districts
16 comply with each of the following requirements:

17 (1) The standards-based achievement test provided for in Section
18 60642.5 is scheduled to be administered to all pupils during the
19 period prescribed in subdivision (b) of Section 60640.

20 (2) The individual results of each pupil test administered
21 pursuant to Section 60640 shall be reported, in writing, to the
22 parent or guardian of the pupil. The written report shall include a
23 clear explanation of the purpose of the test, the score of the pupil,
24 and the intended use by the school district of the test score. This
25 subdivision does not require teachers or other school district
26 personnel to prepare individualized explanations of the test score
27 of each pupil.

28 (3) (A) The individual results of each pupil test administered
29 pursuant to Section 60640 also shall be reported to the school and
30 teachers of a pupil. The school district shall include the test results
31 of a pupil in his or her pupil records. However, except as provided
32 in this section, individual pupil test results only may be released
33 with the permission of either the pupil's parent or guardian if the
34 pupil is a minor, or the pupil if the pupil has reached the age of
35 majority or is emancipated.

36 (B) Notwithstanding subparagraph (A), a pupil or his or her
37 parent or guardian may authorize the release of individual pupil
38 results to a postsecondary educational institution for ~~the purpose~~
39 *purposes* of credit, placement, determination of readiness for
40 college-level coursework, or admission.

1 (C) Notwithstanding subparagraph (A), the department shall
 2 provide to a school district individual pupil results for pupils
 3 attending a charter school for which the school district is the
 4 chartering authority, but shall not include data from a charter
 5 school that is described in subdivision (g) of Section 47605.1. To
 6 the extent this data is available, the department shall provide the
 7 data to the school district, along with the unique pupil
 8 identification number of each of those pupils, in accordance with
 9 the federal Family Educational Rights and Privacy Act of 1974
 10 (20 U.S.C. Sec. 1232g).

11 (4) The districtwide, school-level, and grade-level results of the
 12 STAR Program in each of the grades designated pursuant to Section
 13 60640, but not the score or relative position of any an individually
 14 ascertainable pupil, shall be reported to the governing board of the
 15 school district at a regularly scheduled meeting, and the
 16 countywide, school-level, and grade-level results for classes and
 17 programs under the jurisdiction of the county office of education
 18 shall be similarly reported to the county board of education at a
 19 regularly scheduled meeting.

20 (b) The publisher of the standards-based achievement tests
 21 provided for in Section 60642.5 shall make the individual pupil,
 22 grade, school, school district, and state results available to the
 23 department pursuant to paragraph (9) of subdivision (a) of Section
 24 60643 by August 8 of each year in which the achievement test is
 25 administered for those schools for which the last day of test
 26 administration, including makeup days, is on or before June 25.
 27 The department shall make the grade, school, school district, and
 28 state results available on the Internet by August 15 of each year
 29 in which the achievement test is administered for those schools
 30 for which the last day of test administration, including makeup
 31 days, is on or before June 25.

32 (c) The department shall take all reasonable steps to ensure that
 33 the results of the test for all pupils who take the test by June 25
 34 are made available on the Internet by August 15, as set forth in
 35 subdivision (b).

36 (d) The department shall ensure that a California Standards Test
 37 that is augmented for the purpose purposes of determining credit,
 38 placement, or readiness for college-level coursework of a pupil in
 39 a postsecondary educational institution inform a pupil in grade 11

1 that he or she may request that the results from that assessment be
2 released to a postsecondary educational institution.

3 SEC. 3. Section 60810.5 is added to the Education Code, to
4 read:

5 60810.5. The department shall provide to a school district the
6 individual results of the English language development tests
7 administered pursuant to Section 60810 for pupils who attend a
8 charter school for which the school district is the chartering
9 authority. To the extent this data is available, the department shall
10 provide the data to the school district, along with the unique pupil
11 identification number of each of those pupils, in accordance with
12 the federal Family Educational Rights and Privacy Act of 1974
13 (20 U.S.C. Sec. 1232g).

14 SEC. 4. Section 60851.5 is added to the Education Code, to
15 read:

16 60851.5. The department shall provide to a school district the
17 individual results of the high school exit examination for pupils
18 who attend a charter school for which the school district is the
19 chartering authority. To the extent this data is available, the
20 department shall provide the data to the school district, along with
21 the unique pupil identification number of each of those pupils, in
22 accordance with the federal Family Educational Rights and Privacy
23 Act of 1974 (20 U.S.C. Sec. 1232g).