

AMENDED IN ASSEMBLY APRIL 23, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1866

Introduced by Assembly Member Bocanegra
(Coauthors: Assembly Members Bonta, Buchanan, Hall, and Holden)
(Coauthor: Senator Monning)

February 19, 2014

An act to amend Section 60901 of the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1866, as amended, Bocanegra. Pupil attendance: California Longitudinal Pupil Achievement Data System.

(1) Existing law establishes the California Longitudinal Pupil Achievement Data System, as provided. Existing law requires the State Department of Education, in consultation with the Department of Finance and the Legislative Analyst's Office, *and* contingent upon the receipt of federal funds, to prepare the system to include data on pupil attendance, as specified. Existing law requires the system to support local educational agencies in their efforts to identify and support pupils at risk of dropping out and *that it* be capable of issuing periodic reports to local educational agencies that include district, school, class, and individual pupil reports on the rates of absence and chronic absentees, ~~as defined:~~ *absentees*.

This bill would, among other things, instead require the State Department of Education to enhance the system, as provided. The bill would require the periodic reports to local educational agencies to ~~also~~ include reports on the rates of absence, rates of chronic absenteeism and the number of chronic absentees, rates of truancy and the number

of truants, rates of habitual truancy and the number of habitual truants, and rates of chronic truancy and the number of chronic truants. *The bill would delete class information from the periodic reports.* The bill would ~~revise the definition of “chronic absentee”~~ and establish a definition for “rates of absence”. The bill would delete the federal funding requirement on these provisions.

(2) Existing law, once the system is prepared to accept data on a quarterly rate of pupil attendance, authorizes a local educational agency to submit data to the State Department of Education on a quarterly rate of pupil attendance, and other indicators as identified by the department.

This bill would, once the system is enhanced to accept data on pupil attendance, *authorize a local educational agency to submit the specified data to the system at any time throughout the year that meets its needs, but would* require a local educational agency to, *at a minimum,* submit *and certify* the specified data, and other indicators identified by the department, to the ~~department system~~ *at least 4 times per the end of the school year or on dates to be determined by the department.* *The bill would authorize a local educational agency to receive reports with the specified data disaggregated as provided.* By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(3) This bill would also make conforming and nonsubstantive changes.

(4) 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.

~~(5) This bill would become operative only if legislation is enacted in the 2013–14 Regular Session that establishes an annual report on elementary school truancy and chronic absenteeism, that takes effect on or before January 1, 2015.~~

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 60901 of the Education Code is amended
2 to read:

3 60901. (a) The department, in consultation with the
4 Department of Finance and the Legislative Analyst’s Office, shall
5 enhance the California Longitudinal Pupil Achievement Data
6 System established pursuant to Section 60900 to include data on
7 ~~a quarterly rate of pupil attendance~~ *pupil attendance, as described*
8 *in subdivision (b)*. The enhancement shall include all of the
9 following:

10 (1) The addition of fields to facilitate the transfer of data.

11 (2) System development activities including any business rules
12 and definitions that would be needed to improve the quality and
13 consistency of the data.

14 (3) Processes for the transfer of data from local educational
15 agencies.

16 (4) Consultation with organizations representing school, school
17 district, and county office of education administrators, classified
18 and certified staff, and parents in order to develop the criteria and
19 frequency of reports on pupil attendance data and other indicators
20 as may be submitted by local educational agencies.

21 (b) The system shall support local educational agencies in their
22 efforts to identify and support pupils at risk of dropping out and
23 shall be capable of issuing to local educational agencies periodic
24 reports that include, but may not be limited to, district, school,
25 ~~class,~~ and individual pupil reports for pupils in kindergarten and
26 grades 1 to 12, inclusive, regarding:

27 (1) Rates of absence.

28 (2) Rates of chronic absenteeism and the number of chronic
29 absentees.

30 (3) Rates of truancy and the number of truants, as defined in
31 Section 48260.

32 (4) Rates of habitual truancy and the number of habitual truants,
33 as defined in Section 48262.

34 (5) Rates of chronic truancy and the number of chronic truants,
35 as defined in Section 48263.6.

36 (c) (1) For purposes of this ~~section and section~~, subdivision (d)
37 of Section 52060, *and subdivision (d) of Section 52066*, “chronic
38 absentee” ~~refers to a pupil who is subject to compulsory full-time~~

1 ~~education or compulsory continuation education and who is absent~~
2 ~~for 10 percent or more of the school days in a school year, as~~
3 ~~measured from the date of enrollment to the date that the data is~~
4 ~~submitted to the California Longitudinal Pupil Achievement Data~~
5 ~~System.~~ *means a pupil who is absent on 10 percent or more of the*
6 *schooldays in the school year when the total number of days a*
7 *pupil is absent is divided by the total number of days the pupil is*
8 *enrolled and school was actually taught in the regular day schools*
9 *of the district, exclusive of Saturdays and Sundays.*

10 (2) For purposes of this section, “rates of absence” means the
11 following, to be calculated as of the date that a local educational
12 agency submits the reports required pursuant to subdivision (e),
13 with respect to each individualized pupil record:

14 (A) The number of ~~school days~~ *schooldays* enrolled.

15 (B) The number of ~~school days~~ *schooldays* on which the pupil
16 had an unexcused absence of more than 30 minutes but less than
17 a full day.

18 (C) The number of ~~school days~~ *schooldays* on which the pupil
19 had a full day of unexcused absence.

20 (D) The number of ~~school days~~ *schooldays* on which the pupil
21 had a full day of excused absence.

22 (E) *The number of schooldays on which the pupil was absent*
23 *for a full day due to being suspended pursuant to Article 1*
24 *(commencing with Section 48900) of Chapter 6 of Part 27,*
25 *excluding the number of days on which the pupil was assigned to*
26 *a supervised suspension classroom pursuant to Section 48911.1.*
27 *The number of schooldays on which a pupil was absent due to*
28 *being suspended shall not be considered an excused or unexcused*
29 *absence pursuant to this subdivision. The sum of the number of*
30 *days absent pursuant to this subparagraph and subparagraphs*
31 *(C) and (D) shall equal the total unduplicated number of*
32 *schooldays on which the pupil had a full day of absence.*

33 ~~(E) Whether the~~

34 (F) *Data to determine whether the pupil has been designated*
35 *a habitual truant, as defined in Section 48262.*

36 (3) Once available, the data listed in subdivision (b) shall be
37 incorporated into the annual report on dropouts required pursuant
38 to Section 48070.6 and the annual report on elementary school
39 truancy and chronic ~~absenteeism~~ *required pursuant to Section*
40 *48070.7: absenteeism, if that report has been established.*

1 (d) It is the intent of the Legislature to support the development
2 *and use* of early warning systems to enable ~~the identification and~~
3 ~~support of local school districts and schools to identify~~ individual
4 pupils who are at risk of academic failure or dropping out of school.
5 *It is the intent of the Legislature that school districts and schools*
6 *will fully utilize these early warning systems to improve the*
7 *provision of intervention, prevention, communication, and*
8 *education services to pupils and their families rather than to punish*
9 *pupils or families. It is further the intent of the Legislature that*
10 *this section is not intended to encourage additional referrals to*
11 *law enforcement, complaints, petitions, prosecutions, or other*
12 *serious sanctions against pupils, without first exhausting available*
13 *resources. The systems shall encompass the following*
14 *characteristics:*

15 (1) The utilization of highly predictive indicators, including
16 attendance, course grades or completion, performance on
17 assessments of pupil achievement, suspensions, and expulsions.

18 (2) A thorough validation process to ensure the predictive
19 reliability of the systems.

20 (3) Periodic reports that inform principals, teachers, and parents
21 in a manner that enables timely identification and support of
22 individual pupils who are at risk of academic failure or dropping
23 out.

24 (e) ~~(1) Once the system established pursuant to Section 60900~~
25 ~~is enhanced to accept data on pupil attendance, a local educational~~
26 ~~agency shall may submit the data specified in subdivision (b), and~~
27 ~~other indicators as identified by the department, to the department~~
28 ~~at least four times per school year, on dates to be determined by~~
29 ~~the department. It is the intent of the Legislature that schools~~
30 ~~identified on the list of persistently lowest-achieving schools will~~
31 ~~fully utilize the early warning systems described in subdivision~~
32 ~~(d): paragraph (2) of subdivision (c) to the system at any time~~
33 ~~throughout the year that meets its needs, but a local educational~~
34 ~~agency shall, at a minimum, submit and certify the data specified~~
35 ~~in paragraph (2) of subdivision (c), and other indicators as~~
36 ~~identified by the department, to the system at the end of the school~~
37 ~~year or on dates to be determined by the department. The report~~
38 ~~shall include the numbers and rates specified in subdivision (b).~~

39 (2) A local educational agency may receive reports that reflect
40 the numbers and rates specified in subdivision (b). A local

1 *educational agency shall be able to view the submitted data in a*
2 *format disaggregated by subgroups, including race or ethnicity,*
3 *gender, disability status, English learner status, foster youth status,*
4 *and free or reduced-price meal status.*

5 ~~(f) A local educational agency that reports attendance data for~~
6 ~~pupils to the system established pursuant to Section 60900 may~~
7 ~~request, and the department shall provide, the early warning report~~
8 ~~described in subdivision (d) up to four times each school year.~~

9 SEC. 2. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.

14 ~~SEC. 3. This act shall become operative only if legislation is~~
15 ~~enacted in the 2013–14 Regular Session that establishes an annual~~
16 ~~report on elementary school truancy and chronic absenteeism that~~
17 ~~takes effect on or before January 1, 2015.~~