

AMENDED IN SENATE JUNE 25, 2014

AMENDED IN ASSEMBLY MAY 27, 2014

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.

This bill would, contingent upon the receipt of federal funds, require the State Department of Education to enhance the system, as provided.

The bill would require the periodic reports to local educational agencies to 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 establish a definition for “rates of absence.” ~~The bill would repeal language stating that these provisions shall not be implemented unless federal funds are appropriated specifically for these purpose.~~

(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 system at 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.

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:

1 60901. (a) Contingent upon the receipt of federal funds for
2 this purpose, the department, in consultation with the Department
3 of Finance and the Legislative Analyst’s Office, shall enhance the
4 California Longitudinal Pupil Achievement Data System
5 established pursuant to Section 60900 to include data on pupil
6 attendance, as described in subdivision (b). The enhancement shall
7 include all of the following:

- 8 (1) The addition of fields to facilitate the transfer of data.
- 9 (2) System development activities including any business rules
10 and definitions that would be needed to improve the quality and
11 consistency of the data.
- 12 (3) Processes for the transfer of data from local educational
13 agencies.
- 14 (4) Consultation with organizations representing school, school
15 district, and county office of education administrators, classified
16 and certified staff, and parents in order to develop the criteria and
17 frequency of reports on pupil attendance data and other indicators
18 as may be submitted by local educational agencies.

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

- 25 (1) Rates of absence.
- 26 (2) Rates of chronic absenteeism and the number of chronic
27 absentees.
- 28 (3) Rates of truancy and the number of truants, as defined in
29 Section 48260.
- 30 (4) Rates of habitual truancy and the number of habitual truants,
31 as defined in Section 48262.
- 32 (5) Rates of chronic truancy and the number of chronic truants,
33 as defined in Section 48263.6.

34 (c) (1) For purposes of this section, subdivision (d) of Section
35 52060, and subdivision (d) of Section 52066, “chronic absentee”
36 means a pupil who is absent on 10 percent or more of the
37 schooldays in the school year when the total number of days a
38 pupil is absent is divided by the total number of days the pupil is
39 enrolled and school was actually taught in the regular day schools
40 of the district, exclusive of Saturdays and Sundays.

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

5 (A) The number of schooldays enrolled.

6 (B) The number of schooldays on which the pupil had an
7 unexcused absence of more than 30 minutes but less than a full
8 day.

9 (C) The number of schooldays on which the pupil had a full
10 day of unexcused absence.

11 (D) The number of schooldays on which the pupil had a full
12 day of excused absence.

13 (E) The number of schooldays on which the pupil was absent
14 for a full day due to being suspended pursuant to Article 1
15 (commencing with Section 48900) of Chapter 6 of Part 27,
16 excluding the number of days on which the pupil was assigned to
17 a supervised suspension classroom pursuant to Section 48911.1.
18 The number of schooldays on which a pupil was absent due to
19 being suspended shall not be considered an excused or unexcused
20 absence pursuant to this subdivision. The sum of the number of
21 days absent pursuant to this subparagraph and subparagraphs (C)
22 and (D) shall equal the total unduplicated number of schooldays
23 on which the pupil had a full day of absence.

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

26 (3) Once available, the data listed in subdivision (b) shall be
27 incorporated into the annual report on dropouts required pursuant
28 to Section 48070.6 and the annual report on elementary school
29 truancy and chronic absenteeism, if that report has been established.

30 (d) It is the intent of the Legislature to support the development
31 and use of early warning systems to enable local school districts
32 and schools to identify individual pupils who are at risk of
33 academic failure or dropping out of school. It is the intent of the
34 Legislature that school districts and schools will fully utilize these
35 early warning systems to improve the provision of intervention,
36 prevention, communication, and education services to pupils and
37 their families rather than to punish pupils or families. It is further
38 the intent of the Legislature that this section shall not encourage
39 additional referrals to law enforcement, complaints, petitions,
40 prosecutions, or other serious sanctions against pupils, without

1 first exhausting available resources. The systems shall encompass
2 the following characteristics:

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

6 (2) A thorough validation process to ensure the predictive
7 reliability of the systems.

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

12 (e) (1) Once the system established pursuant to Section 60900
13 is enhanced to accept data on pupil attendance, a local educational
14 agency may submit the data specified in paragraph (2) of
15 subdivision (c) to the system at any time throughout the year that
16 meets its needs, but a local educational agency shall, at a minimum,
17 submit and certify the data specified in paragraph (2) of subdivision
18 (c), and other indicators as identified by the department, to the
19 system at the end of the school year or on dates to be determined
20 by the department. The report shall include the numbers and rates
21 specified in subdivision (b).

22 (2) A local educational agency may receive reports that reflect
23 the numbers and rates specified in subdivision (b). A local
24 educational agency shall be able to view the submitted data in a
25 format disaggregated by subgroups, including race or ethnicity,
26 gender, disability status, English learner status, foster youth status,
27 and free or reduced-price meal status.

28 (f) *The implementation of the amendments made to this section*
29 *during the 2013–14 Regular Session shall not subject the*
30 *department to a loss of funding pursuant to the conditions specified*
31 *in Provision 18 of Item 6110-001-0890 of the 2014 Budget Act.*

32 SEC. 2. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.

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