

ASSEMBLY BILL

No. 1892

Introduced by Assembly Member Bocanegra

February 19, 2014

An act to amend Sections 52060 and 52066 of the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 1892, as introduced, Bocanegra. School accountability: local control and accountability plans: English learner pupils.

Existing law, on or before July 1, 2014, requires the governing board of each school district and each county board of education to adopt a local control and accountability plan and requires the governing board of each school district and each county board of education to update its local control and accountability plan before July 1 of each year. Existing law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each state priority, as specified, for all pupils and certain subgroups of pupils. Existing law provides that, among other things, pupil achievement, pupil engagement, and school climate, each measured as specified, are state priorities.

This bill would add as a state priority identification of the services provided to pupils of limited English proficiency, as defined, and pupils redesignated as fluent English proficient, as specified. By requiring the governing board of each school district and each county board of education to include additional information in the local control and accountability plan, 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 52060 of the Education Code is amended
2 to read:

3 52060. (a) On or before July 1, 2014, the governing board of
4 each school district shall adopt a local control and accountability
5 plan using a template adopted by the state board.

6 (b) A local control and accountability plan adopted by ~~a~~ *the*
7 governing board of a school district shall be effective for a period
8 of three years, and shall be updated on or before July 1 of each
9 year.

10 (c) A local control and accountability plan adopted by ~~a~~ *the*
11 governing board of a school district shall include, for the school
12 district and each school within the school district, both of the
13 following:

14 (1) A description of the annual goals, for all pupils and each
15 subgroup of pupils identified pursuant to Section 52052, to be
16 achieved for each of the state priorities identified in subdivision
17 (d) and for any additional local priorities identified by the
18 governing board of the school district. For purposes of this article,
19 a subgroup of pupils identified pursuant to Section 52052 shall be
20 a numerically significant pupil subgroup as specified in paragraphs
21 (2) and (3) of subdivision (a) of Section 52052.

22 (2) A description of the specific actions the school district will
23 take during each year of the local control and accountability plan
24 to achieve the goals identified in paragraph (1), including the
25 enumeration of any specific actions necessary for that year to
26 correct any deficiencies in regard to the state priorities listed in
27 paragraph (1) of subdivision (d). The specific actions shall not

1 supersede the provisions of existing local collective bargaining
2 agreements within the jurisdiction of the school district.

3 (d) All of the following are state priorities:

4 (1) The degree to which the teachers of the school district are
5 appropriately assigned in accordance with Section 44258.9, and
6 fully credentialed in the subject areas, and, for the pupils they are
7 teaching, every pupil in the school district has sufficient access to
8 the standards-aligned instructional materials as determined pursuant
9 to Section 60119, and school facilities are maintained in good
10 repair as specified in subdivision (d) of Section 17002.

11 (2) Implementation of the academic content and performance
12 standards adopted by the state board, including how the programs
13 and services will enable English learners to access the common
14 core academic content standards adopted pursuant to Section
15 60605.8 and the English language development standards adopted
16 pursuant to Section 60811.3, *as that section read on June 30, 2013*,
17 for purposes of gaining academic content knowledge and English
18 language proficiency.

19 (3) Parental involvement, including efforts the school district
20 makes to seek parent input in making decisions for the school
21 district and each individual schoolsite, and including how the
22 school district will promote parental participation in programs for
23 unduplicated pupils and individuals with exceptional needs.

24 (4) Pupil achievement, as measured by all of the following, as
25 applicable:

26 (A) Statewide assessments administered pursuant to Article 4
27 (commencing with Section 60640) of Chapter 5 of Part 33 or any
28 subsequent assessment, as certified by the state board.

29 (B) The Academic Performance Index, as described in Section
30 52052.

31 (C) The percentage of pupils who have successfully completed
32 courses that satisfy the requirements for entrance to the University
33 of California and the California State University, or career technical
34 education sequences or programs of study that align with state
35 board-approved career technical educational standards and
36 frameworks, including, but not limited to, those described in
37 subdivision (a) of Section 52302, subdivision (a) of Section
38 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

39 (D) The percentage of English learner pupils who make progress
40 toward English proficiency as measured by the California English

- 1 Language Development Test or any subsequent assessment of
- 2 English proficiency, as certified by the state board.
- 3 (E) The English learner reclassification rate.
- 4 (F) The percentage of pupils who have passed an advanced
- 5 placement examination with a score of *3 three* or higher.
- 6 (G) The percentage of pupils who participate in, and demonstrate
- 7 college preparedness pursuant to, the Early Assessment Program,
- 8 as described in Chapter 6 (commencing with Section 99300) of
- 9 Part 65 of Division 14 of Title 3, or any subsequent assessment of
- 10 college preparedness.
- 11 (5) Pupil engagement, as measured by all of the following, as
- 12 applicable:
- 13 (A) School attendance rates.
- 14 (B) Chronic absenteeism rates.
- 15 (C) Middle school dropout rates, as described in paragraph (3)
- 16 of subdivision (a) of Section 52052.1.
- 17 (D) High school dropout rates.
- 18 (E) High school graduation rates.
- 19 (6) School climate, as measured by all of the following, as
- 20 applicable:
- 21 (A) Pupil suspension rates.
- 22 (B) Pupil expulsion rates.
- 23 (C) Other local measures, including surveys of pupils, parents,
- 24 and teachers on the sense of safety and school connectedness.
- 25 (7) The extent to which pupils have access to, and are enrolled
- 26 in, a broad course of study that includes all of the subject areas
- 27 described in Section 51210 and subdivisions (a) to (i), inclusive,
- 28 of Section 51220, as applicable, including the programs and
- 29 services developed and provided to unduplicated pupils and
- 30 individuals with exceptional needs, and the program and services
- 31 that are provided to benefit these pupils as a result of the funding
- 32 received pursuant to Section 42238.02, as implemented by Section
- 33 42238.03.
- 34 (8) Pupil outcomes, if available, in the subject areas described
- 35 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
- 36 51220, as applicable.
- 37 (9) *Identification of the services provided to pupils of limited*
- 38 *English proficiency, as defined in Section 42238.01, and pupils*
- 39 *redesignated as fluent English proficient pursuant to Section 313.*

1 (e) For purposes of the descriptions required by subdivision (c),
2 ~~a~~ *the* governing board of a school district may consider qualitative
3 information, including, but not limited to, findings that result from
4 school quality reviews conducted pursuant to subparagraph (J) of
5 paragraph (4) of subdivision (a) of Section 52052 or any other
6 reviews.

7 (f) To the extent practicable, data reported in a local control and
8 accountability plan shall be reported in a manner consistent with
9 how information is reported on a school accountability report card.

10 (g) ~~A~~ *The* governing board of a school district shall consult with
11 teachers, principals, administrators, other school personnel, local
12 bargaining units of the school district, parents, and pupils in
13 developing a local control and accountability plan.

14 (h) A school district may identify local priorities, goals in regard
15 to the local priorities, and the method for measuring the school
16 district's progress toward achieving those goals.

17 SEC. 2. Section 52066 of the Education Code is amended to
18 read:

19 52066. (a) On or before July 1, 2014, each county
20 superintendent of schools shall develop, and present to the county
21 board of education for adoption, a local control and accountability
22 plan using a template adopted by the state board.

23 (b) A local control and accountability plan adopted by a county
24 board of education shall be effective for a period of three years,
25 and shall be updated on or before July 1 of each year.

26 (c) A local control and accountability plan adopted by a county
27 board of education shall include, for each school or program
28 operated by the county superintendent of schools, both of the
29 following:

30 (1) A description of the annual goals, for all pupils and each
31 subgroup of pupils identified pursuant to Section 52052, to be
32 achieved for each of the state priorities identified in subdivision
33 (d), as applicable to the pupils served, and for any additional local
34 priorities identified by the county board of education.

35 (2) A description of the specific actions the county
36 superintendent of schools will take during each year of the local
37 control and accountability plan to achieve the goals identified in
38 paragraph (1), including the enumeration of any specific actions
39 necessary for that year to correct any deficiencies in regard to the
40 state priorities listed in paragraph (1) of subdivision (d). The

1 specific actions shall not supersede the provisions of existing local
2 collective bargaining agreements within the jurisdiction of the
3 county superintendent of schools.

4 (d) All of the following are state priorities:

5 (1) The degree to which the teachers in the schools or programs
6 operated by the county superintendent of schools are appropriately
7 assigned in accordance with Section 44258.9 and fully credentialed
8 in the subject areas, and, for the pupils they are teaching, every
9 pupil in the schools or programs operated by the county
10 superintendent of schools has sufficient access to the
11 standards-aligned instructional materials as determined pursuant
12 to Section 60119, and school facilities are maintained in good
13 repair as specified in subdivision (d) of Section 17002.

14 (2) Implementation of the academic content and performance
15 standards adopted by the state board, including how the programs
16 and services will enable English learners to access the common
17 core academic content standards adopted pursuant to Section
18 60605.8 and the English language development standards adopted
19 pursuant to Section 60811.3, *as that section read on June 30, 2013*,
20 for purposes of gaining academic content knowledge and English
21 language proficiency.

22 (3) Parental involvement, including efforts the county
23 superintendent of schools makes to seek parent input in making
24 decisions for each individual schoolsite and program operated by
25 a county superintendent of schools, and including how the county
26 superintendent of schools will promote parental participation in
27 programs for unduplicated pupils and individuals with exceptional
28 needs.

29 (4) Pupil achievement, as measured by all of the following, as
30 applicable:

31 (A) Statewide assessments administered pursuant to Article 4
32 (commencing with Section 60640) of Chapter 5 of Part 33 or any
33 subsequent assessment, as certified by the state board.

34 (B) The Academic Performance Index, as described in Section
35 52052.

36 (C) The percentage of pupils who have successfully completed
37 courses that satisfy the requirements for entrance to the University
38 of California and the California State University, or career technical
39 education sequences or programs of study that align with state
40 board-approved career technical education standards and

1 frameworks, including, but not limited to, those described in
2 subdivision (a) of Section 52302, subdivision (a) of Section
3 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

4 (D) The percentage of English learner pupils who make progress
5 toward English proficiency as measured by the California English
6 Language Development Test or any subsequent assessment of
7 English proficiency, as certified by the state board.

8 (E) The English learner reclassification rate.

9 (F) The percentage of pupils who have passed an advanced
10 placement examination with a score of ~~3~~ *three* or higher.

11 (G) The percentage of pupils who participate in, and demonstrate
12 college preparedness pursuant to, the Early Assessment Program,
13 as described in Chapter 6 (commencing with Section 99300) of
14 Part 65 of Division 14 of Title 3, or any subsequent assessment of
15 college preparedness.

16 (5) Pupil engagement, as measured by all of the following, as
17 applicable:

18 (A) School attendance rates.

19 (B) Chronic absenteeism rates.

20 (C) Middle school dropout rates, as described in paragraph (3)
21 of subdivision (a) of Section 52052.1.

22 (D) High school dropout rates.

23 (E) High school graduation rates.

24 (6) School climate, as measured by all of the following, as
25 applicable:

26 (A) Pupil suspension rates.

27 (B) Pupil expulsion rates.

28 (C) Other local measures, including surveys of pupils, parents,
29 and teachers on the sense of safety and school connectedness.

30 (7) The extent to which pupils have access to, and are enrolled
31 in, a broad course of study that includes all of the subject areas
32 described in Section 51210 and subdivisions (a) to (i), inclusive,
33 of Section 51220, as applicable, including the programs and
34 services developed and provided to unduplicated pupils and
35 individuals with exceptional needs, and the program and services
36 that are provided to benefit these pupils as a result of the funding
37 received pursuant to Section 42238.02, as implemented by Section
38 42238.03.

1 (8) Pupil outcomes, if available, in the subject areas described
2 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
3 51220, as applicable.

4 (9) How the county superintendent of schools will coordinate
5 instruction of expelled pupils pursuant to Section 48926.

6 (10) How the county superintendent of schools will coordinate
7 services for foster children, including, but not limited to, all of the
8 following:

9 (A) Working with the county child welfare agency to minimize
10 changes in school placement.

11 (B) Providing education-related information to the county child
12 welfare agency to assist the county child welfare agency in the
13 delivery of services to foster children, including, but not limited
14 to, educational status and progress information that is required to
15 be included in court reports.

16 (C) Responding to requests from the juvenile court for
17 information and working with the juvenile court to ensure the
18 delivery and coordination of necessary educational services.

19 (D) Establishing a mechanism for the efficient expeditious
20 transfer of health and education records and the health and
21 education passport.

22 *(11) Identification of the services provided to pupils of limited*
23 *English proficiency, as defined in Section 42238.01, and pupils*
24 *redesignated as fluent English proficient pursuant to Section 313.*

25 (e) For purposes of the descriptions required by subdivision (c),
26 a county board of education may consider qualitative information,
27 including, but not limited to, findings that result from school quality
28 reviews conducted pursuant to subparagraph (J) of paragraph (4)
29 of subdivision (a) of Section 52052 or any other reviews.

30 (f) To the extent practicable, data reported in a local control and
31 accountability plan shall be reported in a manner consistent with
32 how information is reported on a school accountability report card.

33 (g) The county superintendent of schools shall consult with
34 teachers, principals, administrators, other school personnel, local
35 bargaining units of the county office of education, parents, and
36 pupils in developing a local control and accountability plan.

37 (h) A county board of education may identify local priorities,
38 goals in regard to the local priorities, and the method for measuring
39 the county office of education's progress toward achieving those
40 goals.

1 SEC. 3. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state, reimbursement to
3 local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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