

AMENDED IN SENATE APRIL 10, 2013

SENATE BILL

No. 452

Introduced by Senator Huff

*(Coauthors: Senators Anderson, Berryhill, Emmerson, Fuller, Gaines,
Knight, Nielsen, Walters, and Wyland)*

February 21, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

SB 452, as amended, Huff. 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.) and continues to fail to make adequate yearly progress,
7 and has an Academic Performance Index (API) score of less than
8 800, or any school ranked in any of deciles 1 to 3, inclusive, of
9 the API and where at least one-half of the parents or legal guardians
10 of pupils attending the school, or a combination of at least one-half
11 of the parents or legal guardians of pupils attending the school and
12 the elementary or middle schools that normally matriculate into a
13 middle or high school, as applicable, sign a petition requesting the
14 local educational agency to implement one or more of the four
15 interventions identified pursuant to paragraphs (1) to (4), inclusive,
16 of subdivision (a) of Section 53202 or the federally mandated
17 alternative governance arrangement pursuant to Section
18 6316(b)(8)(B)(v) of the federal Elementary and Secondary
19 Education Act (20 U.S.C. Sec. 6301 et seq.), the local educational
20 agency shall implement the option requested by the parents unless,
21 in a regularly scheduled public hearing, the local educational
22 agency makes a finding in writing stating the reason it cannot
23 implement the ~~specific recommended~~ *requested* option, and instead
24 designates in writing which of the other options described in this
25 section it will implement in the subsequent school year, consistent
26 with requirements specified in federal regulations and guidelines
27 for schools subject to restructuring under Section 6316(b)(8) of
28 the federal Elementary and Secondary Education Act (20 U.S.C.

1 Sec. 6301 et seq.) and regulations and guidelines for the four
2 interventions.

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

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