

AMENDED IN ASSEMBLY APRIL 27, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2353

Introduced by Assembly Member McCarty

February 18, 2016

An act to *amend Sections 52060 and 52066 of, and to add Article 3.2 (commencing with Section 44475) to Chapter 3 of Part 25 of Division 3 of Title 2—of of, the Education Code, relating to teacher professional development.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2353, as amended, McCarty. Teacher professional development: culturally responsive instruction.

(1) Existing law establishes various programs of professional development for teachers, including the California Beginning Teacher Support and Assessment System, and requires the State Department of Education to issue a request for proposals to contract for the development of standards for professional development for educators and instructional leaders.

This bill would require the department to ~~develop a curriculum for~~ *identify* professional development *programs* in ~~covering~~ culturally responsive instruction and ~~make this curriculum available as part of its continuing education and professional development programs for teachers.~~ *provide links to those programs on its Internet Web site.* The bill would state legislative findings and declarations relating to the importance of culturally responsive teaching.

(2) *Existing law requires, on or before July 1, 2014, the governing boards of school districts and county boards of education to adopt a local control and accountability plan. Existing law requires the local*

control and accountability plan to include, among other things, a description of annual goals for all pupils and specified subgroups of pupils to be achieved for certain state priorities, including school climate, as specified, and a description of the specific actions the school district or county superintendent of schools will take to achieve those goals. For purposes of the local control and accountability plans, existing law requires school climate to be measured by pupil suspension and expulsion rates and other local measures, as applicable.

This bill would provide that other local measures may include the extent to which teachers and other school employees, as appropriate, have received or are receiving professional development related to culturally responsive instruction.

(3) Existing law appropriated the sum of \$490,000,000 from the General Fund to the Superintendent of Public Instruction to be allocated to school districts, county offices of education, charter schools, and the state special schools, as provided, for specified teacher and administrator training and professional development, including to promote educator quality and effectiveness.

This bill would specify that school districts, county offices of education, charter schools, and the state special schools are authorized to use those moneys to provide professional development in culturally responsive instruction.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Culture is essential to learning.
- 4 (b) Culture plays a role not only in communicating and receiving
- 5 information, but also in shaping the thinking process of groups
- 6 and individuals.
- 7 (c) A pedagogy that acknowledges, responds to, and celebrates
- 8 fundamental cultures offers full, equitable access to education for
- 9 pupils from all cultures.
- 10 (d) Culturally responsive teaching is a pedagogy that recognizes
- 11 the importance of including pupils' cultural references in all aspects
- 12 of learning.

(e) Culturally responsive teaching acknowledges the legitimacy of a pupil's cultural heritage that shapes dispositions and attitudes.

(f) Culturally responsive teaching builds bridges of meaningfulness between home and school.

(g) Culturally responsive teaching uses a wide variety of instructional strategies that are connected to learning styles.

(h) Culturally responsive teaching incorporates multicultural information, books, and other educational resources.

(i) Culturally responsive teaching promotes the idea of the classroom family and all pupils are in it together.

(j) Culturally responsive teaching teaches pupils that they can be successful and that they are appreciated by educators who have high expectations of them.

(k) Culturally responsive teaching develops the social consciousness of pupils to better handle the world of prejudice and racism.

SEC. 2. Article 3.2 (commencing with Section 44475) is added to Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code, to read:

Article 3.2. Professional Development in Culturally Responsive Instruction

44475. The department shall ~~develop a curriculum for~~ *identify* professional development *programs* in ~~covering~~ culturally responsive instruction and ~~make this curriculum available as part of the department's continuing education and professional development programs for teachers.~~ *provide links to those programs on its Internet Web site.*

SEC. 3. Section 52060 of the Education Code is amended to read:

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

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

(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school

1 district and each school within the school district, both of the
2 following:

3 (1) A description of the annual goals, for all pupils and each
4 subgroup of pupils identified pursuant to Section 52052, to be
5 achieved for each of the state priorities identified in subdivision
6 (d) and for any additional local priorities identified by the
7 governing board of the school district. For purposes of this article,
8 a subgroup of pupils identified pursuant to Section 52052 shall be
9 a numerically significant pupil subgroup as specified in paragraphs
10 (2) and (3) of subdivision (a) of Section 52052.

11 (2) A description of the specific actions the school district will
12 take during each year of the local control and accountability plan
13 to achieve the goals identified in paragraph (1), including the
14 enumeration of any specific actions necessary for that year to
15 correct any deficiencies in regard to the state priorities listed in
16 paragraph (1) of subdivision (d). The specific actions shall not
17 supersede the provisions of existing local collective bargaining
18 agreements within the jurisdiction of the school district.

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

20 (1) The degree to which the teachers of the school district are
21 appropriately assigned in accordance with Section 44258.9, and
22 fully credentialed in the subject areas, and, for the pupils they are
23 teaching, every pupil in the school district has sufficient access to
24 the standards-aligned instructional materials as determined pursuant
25 to Section 60119, and school facilities are maintained in good
26 repair, as defined in subdivision (d) of Section 17002.

27 (2) Implementation of the academic content and performance
28 standards adopted by the state board, including how the programs
29 and services will enable English learners to access the common
30 core academic content standards adopted pursuant to Section
31 60605.8 and the English language development standards adopted
32 pursuant to former Section 60811.3, as that section read on June
33 30, 2013, or Section 60811.4, for purposes of gaining academic
34 content knowledge and English language proficiency.

35 (3) Parental involvement, including efforts the school district
36 makes to seek parent input in making decisions for the school
37 district and each individual schoolsite, and including how the
38 school district will promote parental participation in programs for
39 unduplicated pupils and individuals with exceptional needs.

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

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

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

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

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

(E) The English learner reclassification rate.

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

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

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

(A) School attendance rates.

(B) Chronic absenteeism rates.

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

(D) High school dropout rates.

(E) High school graduation rates.

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

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

1 (C) (i) Other local measures, including surveys of pupils,
2 parents, and teachers on the sense of safety and school
3 connectedness.

4 (ii) *Other local measures may include the extent to which*
5 *teachers and other school employees, as appropriate, have received*
6 *or are receiving professional development related to culturally*
7 *responsive instruction.*

8 (7) The extent to which pupils have access to, and are enrolled
9 in, a broad course of study that includes all of the subject areas
10 described in Section 51210 and subdivisions (a) to (i), inclusive,
11 of Section 51220, as applicable, including the programs and
12 services developed and provided to unduplicated pupils and
13 individuals with exceptional needs, and the programs and services
14 that are provided to benefit these pupils as a result of the funding
15 received pursuant to Section 42238.02, as implemented by Section
16 42238.03.

17 (8) Pupil outcomes, if available, in the subject areas described
18 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
19 51220, as applicable.

20 (e) For purposes of the descriptions required by subdivision (c),
21 the governing board of a school district may consider qualitative
22 information, including, but not limited to, findings that result from
23 school quality reviews conducted pursuant to subparagraph (J) of
24 paragraph (4) of subdivision (a) of Section 52052 or any other
25 reviews.

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

29 (g) The governing board of a school district shall consult with
30 teachers, principals, administrators, other school personnel, local
31 bargaining units of the school district, parents, and pupils in
32 developing a local control and accountability plan.

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

36 *SEC. 4. Section 52066 of the Education Code is amended to*
37 *read:*

38 52066. (a) On or before July 1, 2014, each county
39 superintendent of schools shall develop, and present to the county

board of education for adoption, a local control and accountability plan using a template adopted by the state board.

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

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

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

(2) A description of the specific actions the county superintendent of schools will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(d) All of the following are state priorities:

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

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to ~~Section 60811.3~~ *former Section 60811.3, as that section*

1 *read on June 30, 2013, or Section 60811.4*, for purposes of gaining
2 academic content knowledge and English language proficiency.

3 (3) Parental involvement, including efforts the county
4 superintendent of schools makes to seek parent input in making
5 decisions for each individual schoolsite and program operated by
6 a county superintendent of schools, and including how the county
7 superintendent of schools will promote parental participation in
8 programs for unduplicated pupils and individuals with exceptional
9 needs.

10 (4) Pupil achievement, as measured by all of the following, as
11 applicable:

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

15 (B) The Academic Performance Index, as described in Section
16 52052.

17 (C) The percentage of pupils who have successfully completed
18 courses that satisfy the requirements for entrance to the University
19 of California and the California State University, or career technical
20 education sequences or programs of study that align with state
21 board-approved career technical education standards and
22 frameworks, including, but not limited to, those described in
23 subdivision (a) of Section 52302, subdivision (a) of Section
24 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

25 (D) The percentage of English learner pupils who make progress
26 toward English proficiency as measured by the California English
27 Language Development Test or any subsequent assessment of
28 English proficiency, as certified by the state board.

29 (E) The English learner reclassification rate.

30 (F) The percentage of pupils who have passed an advanced
31 placement examination with a score of 3 or higher.

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

37 (5) Pupil engagement, as measured by all of the following, as
38 applicable:

39 (A) School attendance rates.

40 (B) Chronic absenteeism rates.

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

3 (D) High school dropout rates.

4 (E) High school graduation rates.

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

7 (A) Pupil suspension rates.

8 (B) Pupil expulsion rates.

9 (C) (i) Other local measures, including surveys of pupils,
10 parents, and teachers on the sense of safety and school
11 connectedness.

12 (ii) *Other local measures may include the extent to which*
13 *teachers and other school employees, as appropriate, have received*
14 *or are receiving professional development related to culturally*
15 *responsive instruction.*

16 (7) The extent to which pupils have access to, and are enrolled
17 in, a broad course of study that includes all of the subject areas
18 described in Section 51210 and subdivisions (a) to (i), inclusive,
19 of Section 51220, as applicable, including the programs and
20 services developed and provided to unduplicated pupils and
21 individuals with exceptional needs, and ~~the program~~ *programs*
22 and services that are provided to benefit these pupils as a result of
23 the funding received pursuant to Section 42238.02, as implemented
24 by Section 42238.03.

25 (8) Pupil outcomes, if available, in the subject areas described
26 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
27 51220, as applicable.

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

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

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

35 (B) Providing education-related information to the county child
36 welfare agency to assist the county child welfare agency in the
37 delivery of services to foster children, including, but not limited
38 to, educational status and progress information that is required to
39 be included in court reports.

1 (C) Responding to requests from the juvenile court for
2 information and working with the juvenile court to ensure the
3 delivery and coordination of necessary educational services.

4 (D) Establishing a mechanism for the efficient expeditious
5 transfer of health and education records and the health and
6 education passport.

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

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

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

19 (h) A county board of education may identify local priorities,
20 goals in regard to the local priorities, and the method for measuring
21 the county office of education's progress toward achieving those
22 goals.

23 *SEC. 5. Moneys appropriated to the Superintendent of Public*
24 *Instruction and allocated to school districts, county offices of*
25 *education, charter schools, and the state special schools for*
26 *professional development to promote educator quality and*
27 *effectiveness pursuant to Section 58 of Chapter 13 of the Statutes*
28 *of 2015 may be used by the school district, county office of*
29 *education, charter school, or the state special school to provide*
30 *professional development in culturally responsive instruction.*