

AMENDED IN ASSEMBLY APRIL 11, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2548

Introduced by Assembly Member Weber

February 19, 2016

An act to *amend Sections 52071, 52071.5, 52072, and 52072.5 of, and to add Article 3 (commencing with Section 52053) to Chapter 6.1 of Part 28 of Division 4 of Title 2 of* the Education Code, relating to school accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 2548, as amended, Weber. School accountability: statewide accountability system.

(1) Existing law required, 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 using a state template adopted by the State Board of Education. 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 each state priority, as specified, and a description of the specific actions the school district or county superintendent of schools will take to achieve those goals. Existing law requires the charter petition for a charter school to include those same elements. Existing law provides that an adopted local control and accountability plan is effective for 3 years and shall be updated annually on or before July 1. Existing law requires the state board, on or before October 1, 2016, to adopt evaluation rubrics to, among other things, assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement. Existing law

establishes the California Collaborative for Educational Excellence for purposes of advising and assisting school districts, county superintendents of schools, and charter schools in achieving the goals set forth in a local control and accountability plan.

This bill would, for purposes of a statewide accountability system and to ensure alignment and fidelity with the state priorities and federal law, require the state board to adopt a statewide accountability system. The bill would require the system to (1) satisfy the accountability requirements of specified federal law, (2) *align California's local control framework, which is focused on identifying and supporting local educational agencies with the additional need to identify, support, and improve California's highest need schools, as specified*, (3) rely upon data from key indicators established by the evaluation rubrics adopted by the state board, ~~and, working in concert with the collaborative, utilize a multitiered system of review, support, collaboration, and intervention, aligning the level of support to the needs of the local educational agency or individual school. The bill would authorize the state board to require local educational agencies to submit additional data to the state board or the State Department of Education in order to satisfy the federal accountability system requirements. To the extent this board and as otherwise specified,~~ (4) *provide the California Collaborative for Educational Excellence, county superintendents of schools, and the public with data to be used in a multitiered system of review and assistance, and* (5) *ensure the creation of a data and reporting system that provides meaningful and accessible information on school and school district performance that is displayed through an electronic platform. In identifying appropriate assistance for a school or local educational agency, the bill would require the California Collaborative for Educational Excellence and county superintendents of schools to analyze data aligned with all the state priorities in order to align the level of support, collaboration, and intervention to the needs of the local educational agency or individual school or schools. By imposing additional duties on county superintendents of schools, and to the extent this bill would impose additional duties on local educational agency officials, the bill would impose a state-mandated local program.*

(2) *Existing law requires county superintendents of schools and the Superintendent of Public Instruction to provide technical assistance, as provided, to any school district or county office of education, respectively, that fails to improve pupil achievement across more than one state priority for one or more pupil subgroups.*

This bill would instead require county superintendents of schools and the Superintendent to provide that technical assistance if a school district or county office of education, respectively, fails to meet the standards for performance or expectations for improvements across more than one key indicator for one or more pupil subgroup. By imposing additional duties on county superintendents of schools, the bill would impose a state-mandated local program.

(3) Existing law authorizes the Superintendent, with the approval of the state board, to identify school districts and county offices of education in need of intervention if, among other things, the school district or county office of education did not improve the outcomes for 3 or more pupil subgroups or, if the school district or county office of education has less than 3 pupil subgroups, all of the school district's or county office of education's pupil subgroups, in regard to more than one state or local priority in 3 out of 4 consecutive school years.

This bill would instead authorize the Superintendent to make that identification if, among other things, the school district or county office of education did not meet the standards for performance or expectations for improvement for 3 or more pupil subgroups or, if the school district or county office of education has less than 3 pupil subgroups, all of the school district's or county office of education's pupil subgroups, in regard to more than one key indicator in 3 out of 4 consecutive school years.

~~(2) 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 no reimbursement is required by this act for a specified reason.~~

(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. Article 3 (commencing with Section 52053) is
2 added to Chapter 6.1 of Part 28 of Division 4 of Title 2 of the
3 Education Code, to read:

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Article 3. Statewide Accountability System

7 52053. (a) (1) *It is the intent of the Legislature and purpose*
8 *of this article to do all of the following:*

9 (A) *Establish a coherent, aligned local-state-federal*
10 *accountability system that addresses state, local, parent,*
11 *community, and public needs, as well as federal requirements.*

12 (B) *Ensure ambitious, statewide standards for performance and*
13 *expectations for improvement that encourage continuous*
14 *improvement and the closure of opportunity and achievement gaps.*

15 (C) *Establish a mechanism using multiple measures that*
16 *meaningfully differentiates the performance of schools and*
17 *identifies schools and local educational agencies in need of*
18 *technical assistance, support, and intervention.*

19 (2) *It is further the intent of Legislature that the accountability*
20 *system continues to support and advance the framework established*
21 *by the local control funding formula and California’s emphasis*
22 *on continuous improvement, technical assistance, and support.*

23 (b) For purposes of a statewide accountability system and to
24 ensure alignment and fidelity with the state priorities established
25 pursuant to Sections 52060 and 52066 and with federal law, the
26 state board shall adopt a statewide accountability system that does
27 all of the following:

28 ~~(a)~~-(1) Satisfies the accountability system requirements of the
29 federal Elementary and Secondary Education Act of 1965 (20
30 U.S.C. Sec. 6301 et seq.), as amended by the Every Student
31 Succeeds Act (Public Law 114-95).

32 ~~(2) The state board may require local educational agencies to~~
33 ~~submit additional data to the state board or the department in order~~
34 ~~to meet those requirements.~~

35 (2) *Aligns California’s local control framework, which is*
36 *focused on identifying and supporting local educational agencies*
37 *with the additional need to identify, support, and improve*

1 California's highest need schools. In doing so, the state board
2 shall do all of the following:

3 (A) Set clear, ambitious, statewide standards for performance
4 and expectations for improvement toward each of the key indicators
5 described in paragraph (3) for pupils overall and for each
6 numerically significant subgroup, as identified in Section 52052.

7 To comply with federal law, these improvement standards shall
8 be differentiated by subgroup so that subgroups that start off at
9 lower performance levels make greater growth to achieve the
10 statewide standards.

11 (B) Establish a mechanism to meaningfully differentiate the
12 performance of all public schools, to identify local educational
13 agencies for purposes of Sections 52072 and 52072.5 on an annual
14 basis based on outcomes for all pupils and for each subgroup of
15 pupils using the multiple measures identified in paragraph (3),
16 and to do all of the following:

17 (i) Distinguish multiple levels of performance for purposes of
18 continuous improvement, transparency, meaningful stakeholder
19 engagement, recognition, and support, including the identification
20 of the following:

21 (I) Not less than the lowest-performing 5 percent of all schools
22 receiving federal Title I funds and all public high schools in the
23 state failing to graduate one-third or more of their pupils.

24 (II) All schools in which any subgroup of pupils is consistently
25 underperforming, as determined by the state board, based on all
26 of the indicators identified in paragraph (3) and the system
27 established pursuant this section.

28 (III) All schools where any one subgroup of pupils, on its own,
29 would lead that school to be in the lowest 5 percent of schools for
30 pupils overall.

31 (ii) Support parents and guardians in making informed school
32 decisions on behalf of their children.

33 (iii) Enable school districts, county offices of education, the
34 department, and the California Collaborative for Educational
35 Excellence to identify schools for recognition, support, and
36 assistance and ensure that support and assistance is provided to
37 at least those schools identified pursuant to clause (i).

38 (C) Comply with all notification, stakeholder engagement,
39 school support, and improvement activities required by Section

1 *1111(d) of the federal Every Student Succeeds Act (Public Law*
2 *114-95).*

3 ~~(b)~~

4 (3) (A) Relies upon data from key indicators established
5 pursuant to the evaluation rubrics adopted by the state board
6 pursuant to Section 52064.5. *At a minimum, for purposes of*
7 *paragraph (2), those key indicators shall include, if not already*
8 *included by the state board pursuant to Section 52064.5, all of the*
9 *following:*

10 (i) *For elementary and middle schools:*

11 (I) *A measure of pupil achievement in at least English language*
12 *arts, mathematics, and science.*

13 (II) *A measure of academic growth.*

14 (III) *A measure of progress toward English proficiency.*

15 (IV) *A measure of chronic absenteeism.*

16 (V) *A measure of school climate.*

17 (ii) *For high schools:*

18 (I) *A measure of pupil achievement in at least English language*
19 *arts, mathematics, and science.*

20 (II) *A measure of graduation rates.*

21 (III) *A measure of progress toward English proficiency.*

22 (IV) *A measure of college and career readiness.*

23 (V) *A measure of chronic absenteeism.*

24 (VI) *A measure of school climate.*

25 (B) *This paragraph shall not be construed as to preclude the*
26 *state board from including additional statewide measures that can*
27 *be disaggregated by subgroup in the accountability system for*
28 *purposes of meaningful differentiation of all schools or from*
29 *grouping the measures into common clusters. Furthermore, it is*
30 *the intent of the Legislature that the state will continue to use the*
31 *evaluation rubrics established pursuant to Section 52064.5 and*
32 *all indicators identified as state priorities established pursuant to*
33 *Sections 52060 and 52066 and the subgroups identified pursuant*
34 *to Section 52052 for purposes of continuous improvement and to*
35 *guide the provision of technical assistance, support, and*
36 *intervention.*

37 (C) *In order to comply with federal law, the academic indicators*
38 *specified in subclauses (I) to (III), inclusive, of clauses (i) and (ii)*
39 *of subparagraph (A) shall receive substantial weight and, in*

1 aggregate, much greater weight than is afforded to all other
2 indicators.

3 (D) For purposes of paragraph (2), performance of subgroups
4 shall receive substantial weight.

5 ~~(e) Working in concert with the California Collaborative for~~
6 ~~Educational Excellence established pursuant to Section 52074,~~
7 ~~utilizes a multitiered system of review, support, collaboration, and~~
8 ~~intervention, aligning the level of support to the needs of the local~~
9 ~~educational agency or individual school.~~

10 (4) Provides the California Collaborative for Educational
11 Excellence established pursuant to Section 52074, county
12 superintendents of schools, and the public with data to be used in
13 a multitiered system of review and assistance. Notwithstanding
14 the key indicators used for purposes of paragraph (2), in identifying
15 appropriate assistance for a school or local educational agency,
16 the California Collaborative for Educational Excellence and the
17 county superintendents of schools shall analyze data aligned with
18 all the state priorities established pursuant to Sections 52060 and
19 52066 in order to align the level of support, collaboration, and
20 intervention to the needs of the local educational agency or
21 individual school or schools.

22 (5) Ensures the creation of a data and reporting system that
23 provides meaningful and accessible information on school and
24 school district performance that is displayed through an electronic
25 platform. Parents and the public shall have the ability to easily
26 access, compare, analyze, and summarize school reports, pupil
27 performance results, and the progress made by schools and school
28 districts in reaching all of the state's priority areas for purposes
29 of local control and accountability plans and the local control
30 funding formula. It is the intent of the Legislature to ensure that
31 any Web-based data and analysis tools should enable all
32 stakeholders to readily identify strengths and weaknesses, identify
33 inequities between schools and subgroups of pupils across multiple
34 measures, monitor academic achievement and improvement,
35 provide for meaningful differentiation, as required by Section
36 1111(c)(4)(C) of the federal Every Student Succeeds Act (Public
37 Law 114-95), and enable users to download data and reports in
38 machine-readable formats.

39 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
40 ~~Section 6 of Article XIII B of the California Constitution because~~

1 ~~this act implements a federal law or regulation and results only in~~
2 ~~costs mandated by the federal government, within the meaning of~~
3 ~~Section 17556 of the Government Code.~~

4 *SEC. 2. Section 52071 of the Education Code is amended to*
5 *read:*

6 52071. (a) If a county superintendent of schools does not
7 approve a local control and accountability plan or annual update
8 to the local control and accountability plan approved by a
9 governing board of a school district, or if the governing board of
10 a school district requests technical assistance, the county
11 superintendent of schools shall provide technical assistance,
12 including, among other things, any of the following:

13 (1) Identification of the school district's strengths and
14 weaknesses in regard to the state priorities described in subdivision
15 (d) of Section 52060, communicated in writing to the school
16 district. This identification shall include a review of effective,
17 evidence-based programs that apply to the school district's goals.

18 (2) Assignment of an academic expert or team of academic
19 experts to assist the school district in identifying and implementing
20 effective programs that are designed to improve the outcomes for
21 all pupil subgroups identified pursuant to Section 52052. The
22 county superintendent of schools may also solicit another school
23 district within the county to act as a partner to the school district
24 in need of technical assistance.

25 (3) Request that the Superintendent assign the California
26 Collaborative for Educational Excellence to provide advice and
27 assistance to the school district.

28 (b) Using an evaluation rubric adopted by the state board
29 pursuant to Section 52064.5, the county superintendent of schools
30 shall provide the technical assistance described in subdivision (a)
31 to any school district that fails to ~~improve pupil achievement across~~
32 ~~more than one state priority described in subdivision (d) of Section~~
33 ~~52060 meet the standards for performance or expectations for~~
34 ~~improvements across more than one key indicator, as specified in~~
35 ~~paragraph (3) of subdivision (b) of Section 52053, for one or more~~
36 ~~pupil-subgroup subgroups~~ identified pursuant to Section 52052.

37 (c) Technical assistance provided pursuant to this section at the
38 request of a school district shall be paid for by the school district
39 requesting the assistance.

1 *SEC. 3. Section 52071.5 of the Education Code is amended to*
2 *read:*

3 52071.5. (a) If the Superintendent does not approve a local
4 control and accountability plan or annual update to the local control
5 and accountability plan approved by a county board of education,
6 or if the county board of education requests technical assistance,
7 the Superintendent shall provide technical assistance, including,
8 among other things, any of the following:

9 (1) Identification of the county board of education’s strengths
10 and weaknesses in regard to the state priorities described in
11 subdivision (d) of Section 52066, communicated in writing to the
12 county board of education. This identification shall include a
13 review of effective, evidence-based programs that apply to the
14 board’s goals.

15 (2) Assignment of an academic expert or team of academic
16 experts, or the California Collaborative for Educational Excellence
17 established pursuant to Section 52074, to assist the county board
18 of education in identifying and implementing effective programs
19 that are designed to improve the outcomes for all pupil subgroups
20 identified pursuant to Section 52052. The Superintendent may also
21 solicit another county office of education to act as a partner to the
22 county office of education in need of technical assistance.

23 (b) Using an evaluation rubric adopted by the state board
24 pursuant to Section 52064.5, the Superintendent shall provide the
25 technical assistance described in subdivision (a) to any county
26 office of education that fails to ~~improve pupil achievement in~~
27 ~~regard to more than one state priority described in subdivision (d)~~
28 ~~of Section 52066~~ *meet the standards for performance or*
29 *expectations for improvements across more than one key indicator,*
30 *as specified in paragraph (3) of subdivision (b) of Section 52053,*
31 for one or more pupil subgroups identified pursuant to Section
32 52052.

33 (c) Technical assistance provided pursuant to this section at the
34 request of a county board of education shall be paid for by the
35 county board of education receiving assistance.

36 *SEC. 4. Section 52072 of the Education Code is amended to*
37 *read:*

38 52072. (a) The Superintendent may, with the approval of the
39 state board, identify school districts in need of intervention.

1 (b) The Superintendent shall only intervene in a school district
2 that meets both of the following criteria:

3 (1) The school district did not ~~improve the outcomes~~ *meet the*
4 *standards for performance or expectations for improvement* for
5 three or more pupil subgroups identified pursuant to Section 52052
6 or, if the school district has less than three pupil subgroups, all of
7 the school district's pupil subgroups, in regard to more than one
8 ~~state or local priority~~ *key indicator specified in paragraph (3) of*
9 *subdivision (b) of Section 52053* in three out of four consecutive
10 school years.

11 (2) The California Collaborative for Educational Excellence
12 has provided advice and assistance to the school district pursuant
13 to Section 52071 and submits either of the following findings to
14 the Superintendent:

15 (A) That the school district has failed, or is unable, to implement
16 the recommendations of the California Collaborative for
17 Educational Excellence.

18 (B) That the inadequate performance of the school district, based
19 upon an evaluation rubric adopted pursuant to Section 52064.5, is
20 either so persistent or acute as to require intervention by the
21 Superintendent.

22 (c) For school districts identified pursuant to subdivision (a),
23 the Superintendent may, with the approval of the state board, do
24 one or more of the following:

25 (1) Make changes to a local control and accountability plan
26 adopted by the governing board of the school district.

27 (2) Develop and impose a budget revision, in conjunction with
28 revisions to the local control and accountability plan, that the
29 Superintendent determines would allow the school district to
30 improve the outcomes for all pupil subgroups identified pursuant
31 to Section 52052 in regard to state and local priorities.

32 (3) Stay or rescind an action, if that action is not required by a
33 local collective bargaining agreement, that would prevent the
34 school district from improving outcomes for all pupil subgroups
35 identified pursuant to Section 52052 in regard to state or local
36 priorities.

37 (4) Appoint an academic trustee to exercise the powers and
38 authority specified in this section on his or her behalf.

39 (d) The Superintendent shall notify the county superintendent
40 of schools, the county board of education, the superintendent of

1 the school district, and the governing board of the school district
2 of any action by the state board to direct him or her to exercise
3 any of the powers and authorities specified in this section.

4 *SEC. 5. Section 52072.5 of the Education Code is amended to*
5 *read:*

6 52072.5. (a) The Superintendent may, with the approval of
7 the state board, identify county offices of education in need of
8 intervention.

9 (b) The Superintendent shall only intervene in a county office
10 of education that meets both of the following criteria:

11 (1) The county office of education did not ~~improve the outcomes~~
12 *meet the standards for performance or expectations for*
13 *improvement* for three or more pupil subgroups identified pursuant
14 to Section 52052 or, if the county office of education has less than
15 three pupil subgroups, all of the county office of education's pupil
16 subgroups, in regard to more than one ~~state or local~~ *priority key*
17 *indicator specified in paragraph (3) of subdivision (b) of Section*
18 *52053* in three out of four consecutive school years.

19 (2) The California Collaborative for Educational Excellence
20 has provided advice and assistance to the county office of education
21 pursuant to Section 52071.5 and submits either of the following
22 findings to the Superintendent:

23 (A) That the county office of education has failed, or is unable,
24 to implement the recommendations of the California Collaborative
25 for Educational Excellence.

26 (B) That the inadequate performance of the county office of
27 education, based upon an evaluation rubric adopted pursuant to
28 Section 52064.5, is either so persistent or acute as to require
29 intervention by the Superintendent.

30 (c) For county offices of education identified pursuant to
31 subdivision (a), the Superintendent may, with the approval of the
32 state board, do one or more of the following:

33 (1) Make changes to a local control and accountability plan
34 adopted by the county board of education.

35 (2) Develop and impose a budget revision, in conjunction with
36 revisions to the local control and accountability plan, that the
37 Superintendent determines would allow the county office of
38 education to improve the outcomes for all pupil subgroups
39 identified pursuant to Section 52052 in regard to state and local
40 priorities.

1 (3) Stay or rescind an action, if that action is not required by a
2 local collective bargaining agreement, that would prevent the
3 county office of education from improving outcomes for all pupil
4 subgroups identified pursuant to Section 52052 in regard to state
5 or local priorities.

6 (4) Appoint an academic trustee to exercise the powers and
7 authority specified in this section on his or her behalf.

8 (d) The Superintendent shall notify the county board of
9 education and the county superintendent of schools, in writing, of
10 any action by the state board to direct him or her to exercise any
11 of the powers and authorities specified in this section.

12 *SEC. 6. If the Commission on State Mandates determines that*
13 *this act contains costs mandated by the state, reimbursement to*
14 *local agencies and school districts for those costs shall be made*
15 *pursuant to Part 7 (commencing with Section 17500) of Division*
16 *4 of Title 2 of the Government Code.*