

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 11, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2548**

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**Introduced by Assembly Member Weber**

February 19, 2016

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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, 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 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.~~

~~(4)~~

(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, 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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5 Article 3. Statewide Accountability System

6

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

1 (A) Establish a coherent, aligned local-state-federal  
2 accountability system that addresses state, local, parent,  
3 community, and public needs, as well as federal requirements.

4 (B) Ensure ambitious, statewide standards for performance and  
5 expectations for improvement that encourage continuous  
6 improvement and the closure of opportunity and achievement gaps.

7 (C) Establish a mechanism using multiple measures that  
8 meaningfully differentiates the performance of schools and  
9 identifies schools and local educational agencies in need of  
10 technical assistance, support, and intervention.

11 (2) It is further the intent of *the* Legislature that the  
12 accountability system continues to support and advance the  
13 framework established by the local control funding formula and  
14 California's emphasis on continuous improvement, technical  
15 assistance, and support.

16 (b) For purposes of a statewide accountability system and to  
17 ensure alignment and fidelity with the state priorities established  
18 pursuant to Sections 52060 and 52066 and with federal law, the  
19 state board shall adopt a statewide accountability system that does  
20 all of the following:

21 (1) Satisfies the accountability system requirements of the  
22 federal Elementary and Secondary Education Act of 1965 (20  
23 U.S.C. Sec. 6301 et seq.), as amended by the Every Student  
24 Succeeds Act (Public Law 114-95).

25 (2) Aligns California's local control framework, which is  
26 focused on identifying and supporting local educational agencies  
27 with the additional need to identify, support, and improve  
28 California's highest need schools. In doing so, the state board shall  
29 do all of the following:

30 (A) Set clear, ambitious, statewide standards for performance  
31 and expectations for improvement toward each of the key indicators  
32 described in paragraph (3) for pupils overall and for each  
33 numerically significant subgroup, as identified in Section 52052.  
34 To comply with federal law, these improvement standards shall  
35 be differentiated by subgroup so that subgroups that start off at  
36 lower performance levels make greater growth to achieve the  
37 statewide standards.

38 (B) Establish a mechanism to meaningfully differentiate the  
39 performance of all public schools, to identify local educational  
40 agencies for purposes of Sections 52072 and 52072.5 on an annual

1 basis based on outcomes for all pupils and for each subgroup of  
2 pupils using the multiple measures identified in paragraph (3), and  
3 to do all of the following:

4 (i) Distinguish multiple levels of performance for purposes of  
5 continuous improvement, transparency, meaningful stakeholder  
6 engagement, recognition, and support, including the identification  
7 of the following:

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

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

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

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

20 (iii) Enable school districts, county offices of education, the  
21 department, and the California Collaborative for Educational  
22 Excellence to identify schools for recognition, support, and  
23 assistance and ensure that support and assistance is provided to at  
24 least those schools identified pursuant to clause (i).

25 (C) Comply with all notification, stakeholder engagement,  
26 school support, and improvement activities required by Section  
27 1111(d) of the federal Every Student Succeeds Act (Public Law  
28 114-95).

29 (3) (A) Relies upon data from key indicators established  
30 pursuant to the evaluation rubrics adopted by the state board  
31 pursuant to Section 52064.5. At a minimum, for purposes of  
32 paragraph (2), those key indicators shall include, if not already  
33 included by the state board pursuant to Section 52064.5, all of the  
34 following:

35 (i) For elementary and middle schools:

36 (I) A measure of pupil achievement in at least English language  
37 arts, mathematics, and science.

38 (II) A measure of academic growth.

39 (III) A measure of progress toward English proficiency.

40 (IV) A measure of chronic absenteeism.

- 1 (V) A measure of school climate.  
2 (ii) For high schools:  
3 (I) A measure of pupil achievement in at least English language  
4 arts, mathematics, and science.  
5 (II) A measure of graduation rates.  
6 (III) A measure of progress toward English proficiency.  
7 (IV) A measure of college and career readiness.  
8 (V) A measure of chronic absenteeism.  
9 (VI) A measure of school climate.
- 10 (B) This paragraph shall not be construed as to preclude the  
11 state board from including additional statewide measures that can  
12 be disaggregated by subgroup in the accountability system for  
13 purposes of meaningful differentiation of all schools or from  
14 grouping the measures into common clusters. Furthermore, it is  
15 the intent of the Legislature that the state will continue to use the  
16 evaluation rubrics established pursuant to Section 52064.5 and all  
17 indicators identified as state priorities established pursuant to  
18 Sections 52060 and 52066 and the subgroups identified pursuant  
19 to Section 52052 for purposes of continuous improvement and to  
20 guide the provision of technical assistance, support, and  
21 intervention.
- 22 (C) In order to comply with federal law, the academic indicators  
23 specified in subclauses (I) to (III), inclusive, of clauses (i) and (ii)  
24 of subparagraph (A) shall receive substantial weight and, in  
25 aggregate, much greater weight than is afforded to all other  
26 indicators.
- 27 (D) For purposes of paragraph (2), performance of subgroups  
28 shall receive substantial weight.
- 29 (4) Provides the California Collaborative for Educational  
30 Excellence established pursuant to Section 52074, county  
31 superintendents of schools, and the public with data to be used in  
32 a multitiered system of review and assistance. Notwithstanding  
33 the key indicators used for purposes of paragraph (2), in identifying  
34 appropriate assistance for a school or local educational agency,  
35 the California Collaborative for Educational Excellence and the  
36 county superintendents of schools shall analyze data aligned with  
37 all the state priorities established pursuant to Sections 52060 and  
38 52066 in order to align the level of support, collaboration, and  
39 intervention to the needs of the local educational agency or  
40 individual school or schools.

1 (5) Ensures the creation of a data and reporting system that  
2 provides meaningful and accessible information on school and  
3 school district performance that is displayed through an electronic  
4 platform. Parents and the public shall have the ability to easily  
5 access, compare, analyze, and summarize school reports, pupil  
6 performance results, and the progress made by schools and school  
7 districts in reaching all of the state’s priority areas for purposes of  
8 local control and accountability plans and the local control funding  
9 formula. It is the intent of the Legislature to ensure that any  
10 Web-based data and analysis tools should enable all stakeholders  
11 to readily identify strengths and weaknesses, identify inequities  
12 between schools and subgroups of pupils across multiple measures,  
13 monitor academic achievement and improvement, provide for  
14 meaningful differentiation, as required by Section 1111(c)(4)(C)  
15 of the federal Every Student Succeeds Act (Public Law 114-95),  
16 and enable users to download data and reports in machine-readable  
17 formats.

18 ~~SEC. 2. Section 52071 of the Education Code is amended to~~  
19 ~~read:~~

20 ~~52071. (a) If a county superintendent of schools does not~~  
21 ~~approve a local control and accountability plan or annual update~~  
22 ~~to the local control and accountability plan approved by a~~  
23 ~~governing board of a school district, or if the governing board of~~  
24 ~~a school district requests technical assistance, the county~~  
25 ~~superintendent of schools shall provide technical assistance,~~  
26 ~~including, among other things, any of the following:~~

27 ~~(1) Identification of the school district’s strengths and~~  
28 ~~weaknesses in regard to the state priorities described in subdivision~~  
29 ~~(d) of Section 52060, communicated in writing to the school~~  
30 ~~district. This identification shall include a review of effective,~~  
31 ~~evidence-based programs that apply to the school district’s goals.~~

32 ~~(2) Assignment of an academic expert or team of academic~~  
33 ~~experts to assist the school district in identifying and implementing~~  
34 ~~effective programs that are designed to improve the outcomes for~~  
35 ~~all pupil subgroups identified pursuant to Section 52052. The~~  
36 ~~county superintendent of schools may also solicit another school~~  
37 ~~district within the county to act as a partner to the school district~~  
38 ~~in need of technical assistance.~~

1     ~~(3) Request that the Superintendent assign the California~~  
2     ~~Collaborative for Educational Excellence to provide advice and~~  
3     ~~assistance to the school district.~~

4     ~~(b) Using an evaluation rubric adopted by the state board~~  
5     ~~pursuant to Section 52064.5, the county superintendent of schools~~  
6     ~~shall provide the technical assistance described in subdivision (a)~~  
7     ~~to any school district that fails to meet the standards for~~  
8     ~~performance or expectations for improvements across more than~~  
9     ~~one key indicator, as specified in paragraph (3) of subdivision (b)~~  
10    ~~of Section 52053, for one or more pupil subgroups identified~~  
11    ~~pursuant to Section 52052.~~

12    ~~(c) Technical assistance provided pursuant to this section at the~~  
13    ~~request of a school district shall be paid for by the school district~~  
14    ~~requesting the assistance.~~

15    ~~SEC. 3. Section 52071.5 of the Education Code is amended to~~  
16    ~~read:~~

17    ~~52071.5. (a) If the Superintendent does not approve a local~~  
18    ~~control and accountability plan or annual update to the local control~~  
19    ~~and accountability plan approved by a county board of education,~~  
20    ~~or if the county board of education requests technical assistance,~~  
21    ~~the Superintendent shall provide technical assistance, including,~~  
22    ~~among other things, any of the following:~~

23    ~~(1) Identification of the county board of education’s strengths~~  
24    ~~and weaknesses in regard to the state priorities described in~~  
25    ~~subdivision (d) of Section 52066, communicated in writing to the~~  
26    ~~county board of education. This identification shall include a~~  
27    ~~review of effective, evidence-based programs that apply to the~~  
28    ~~board’s goals.~~

29    ~~(2) Assignment of an academic expert or team of academic~~  
30    ~~experts, or the California Collaborative for Educational Excellence~~  
31    ~~established pursuant to Section 52074, to assist the county board~~  
32    ~~of education in identifying and implementing effective programs~~  
33    ~~that are designed to improve the outcomes for all pupil subgroups~~  
34    ~~identified pursuant to Section 52052. The Superintendent may also~~  
35    ~~solicit another county office of education to act as a partner to the~~  
36    ~~county office of education in need of technical assistance.~~

37    ~~(b) Using an evaluation rubric adopted by the state board~~  
38    ~~pursuant to Section 52064.5, the Superintendent shall provide the~~  
39    ~~technical assistance described in subdivision (a) to any county~~  
40    ~~office of education that fails to meet the standards for performance~~



1 or expectations for improvements across more than one key  
2 indicator, as specified in paragraph (3) of subdivision (b) of Section  
3 52053, for one or more pupil subgroups identified pursuant to  
4 Section 52052.

5 (e) Technical assistance provided pursuant to this section at the  
6 request of a county board of education shall be paid for by the  
7 county board of education receiving assistance.

8 SEC. 4. Section 52072 of the Education Code is amended to  
9 read:

10 52072. (a) The Superintendent may, with the approval of the  
11 state board, identify school districts in need of intervention.

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

14 (1) The school district did not meet the standards for  
15 performance or expectations for improvement for three or more  
16 pupil subgroups identified pursuant to Section 52052 or, if the  
17 school district has less than three pupil subgroups, all of the school  
18 district's pupil subgroups, in regard to more than one key indicator  
19 specified in paragraph (3) of subdivision (b) of Section 52053 in  
20 three out of four consecutive school years.

21 (2) The California Collaborative for Educational Excellence  
22 has provided advice and assistance to the school district pursuant  
23 to Section 52071 and submits either of the following findings to  
24 the Superintendent:

25 (A) That the school district has failed, or is unable, to implement  
26 the recommendations of the California Collaborative for  
27 Educational Excellence.

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

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

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

37 (2) Develop and impose a budget revision, in conjunction with  
38 revisions to the local control and accountability plan, that the  
39 Superintendent determines would allow the school district to

1 improve the outcomes for all pupil subgroups identified pursuant  
 2 to Section 52052 in regard to state and local priorities:

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

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

10 ~~(d) The Superintendent shall notify the county superintendent~~  
 11 ~~of schools, the county board of education, the superintendent of~~  
 12 ~~the school district, and the governing board of the school district~~  
 13 ~~of any action by the state board to direct him or her to exercise~~  
 14 ~~any of the powers and authorities specified in this section.~~

15 ~~SEC. 5. Section 52072.5 of the Education Code is amended to~~  
 16 ~~read:~~

17 ~~52072.5. (a) The Superintendent may, with the approval of~~  
 18 ~~the state board, identify county offices of education in need of~~  
 19 ~~intervention.~~

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

22 ~~(1) The county office of education did not meet the standards~~  
 23 ~~for performance or expectations for improvement for three or more~~  
 24 ~~pupil subgroups identified pursuant to Section 52052 or, if the~~  
 25 ~~county office of education has less than three pupil subgroups, all~~  
 26 ~~of the county office of education's pupil subgroups, in regard to~~  
 27 ~~more than one key indicator specified in paragraph (3) of~~  
 28 ~~subdivision (b) of Section 52053 in three out of four consecutive~~  
 29 ~~school years.~~

30 ~~(2) The California Collaborative for Educational Excellence~~  
 31 ~~has provided advice and assistance to the county office of education~~  
 32 ~~pursuant to Section 52071.5 and submits either of the following~~  
 33 ~~findings to the Superintendent:~~

34 ~~(A) That the county office of education has failed, or is unable,~~  
 35 ~~to implement the recommendations of the California Collaborative~~  
 36 ~~for Educational Excellence.~~

37 ~~(B) That the inadequate performance of the county office of~~  
 38 ~~education, based upon an evaluation rubric adopted pursuant to~~  
 39 ~~Section 52064.5, is either so persistent or acute as to require~~  
 40 ~~intervention by the Superintendent.~~

1 ~~(e) For county offices of education identified pursuant to~~  
2 ~~subdivision (a), the Superintendent may, with the approval of the~~  
3 ~~state board, do one or more of the following:~~

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

6 ~~(2) Develop and impose a budget revision, in conjunction with~~  
7 ~~revisions to the local control and accountability plan, that the~~  
8 ~~Superintendent determines would allow the county office of~~  
9 ~~education to improve the outcomes for all pupil subgroups~~  
10 ~~identified pursuant to Section 52052 in regard to state and local~~  
11 ~~priorities.~~

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

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

19 ~~(d) The Superintendent shall notify the county board of~~  
20 ~~education and the county superintendent of schools, in writing, of~~  
21 ~~any action by the state board to direct him or her to exercise any~~  
22 ~~of the powers and authorities specified in this section.~~

23 ~~SEC. 6.~~

24 ~~SEC. 2. If the Commission on State Mandates determines that~~  
25 ~~this act contains costs mandated by the state, reimbursement to~~  
26 ~~local agencies and school districts for those costs shall be made~~  
27 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
28 ~~4 of Title 2 of the Government Code.~~