

AMENDED IN SENATE JUNE 2, 2015
AMENDED IN SENATE APRIL 23, 2015
AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 359

Introduced by Senator Mitchell
(Coauthor: Assembly Member Jones-Sawyer)

February 24, 2015

An act to add Section 51224.7 to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, as amended, Mitchell. California Mathematics Placement Act of 2015.

(1) Existing law establishes a system of public elementary and secondary education in this state, and authorizes local educational agencies throughout the state to provide instruction to pupils.

This bill would enact the California Mathematics Placement Act of 2015. The bill would require ~~each governing board of a governing boards of~~ local educational ~~agency, agencies,~~ as defined, serving pupils in grade 8 or 9, or both, *that do not have a mathematics placement policy as of January 1, 2016*, to develop, adopt in a regularly scheduled public meeting, and implement a fair, objective, and transparent mathematics placement policy with specified elements. The bill would further require each *governing board of a* local educational agency to ensure that its mathematics placement policy is ~~available to each pupil and his or her parent or legal guardian~~ and is posted prominently on its Internet Web site. By imposing additional requirements on local

educational agencies, the bill would impose a state-mandated local program.

(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. The Legislature finds and declares all of the
2 following:

3 (a) Pupil achievement in mathematics is important to prepare
4 pupils for college and their future careers, especially those careers
5 in the fields of science, technology, engineering, and mathematics
6 (STEM).

7 (b) A pupil’s 9th grade math course placement is a crucial
8 crossroads for his or her future educational success. Misplacement
9 in the sequence of mathematics courses creates a number of barriers
10 and results in pupils being less competitive for college admissions,
11 including admissions at the California State University and
12 University of California.

13 (c) The most egregious examples of mathematics misplacement
14 occur with successful pupils and, disproportionately, with
15 successful pupils of color. These successful pupils are achieving
16 a grade of “B” or better, or are testing at proficient or even
17 advanced proficiency on state assessments. Nevertheless, they are
18 held back to repeat 8th grade mathematics coursework rather than
19 advancing to the next course in the recommended mathematics
20 course sequence.

21 (d) Mathematics misplacement has far-reaching impacts on a
22 pupil’s confidence, general knowledge of mathematical concepts,
23 and high school experience, and may also impact the college career
24 opportunities available to the pupil.

1 (e) New research shows that it is less common for pupils of
2 color, even high-achieving pupils of color, to reach calculus by
3 grade 12 compared to their white and Asian peers.

4 (f) All pupils, regardless of race or ethnic background, deserve
5 an equal chance to advance in mathematics.

6 (g) With the shift towards implementation of the Common Core
7 State Standards for Mathematics, it is particularly important for
8 all pupils to have access to high-quality mathematics programs
9 that meet the goals and expectations of these standards.

10 (h) It is crucial for teachers and guidance personnel to advise
11 pupils and parents on the importance of accurate mathematics
12 course placement and its impact on future college eligibility so
13 pupils may take each course in the mathematics course sequence.

14 (i) California faces a looming shortage of college-educated
15 workers in an increasingly competitive global economy.

16 (j) A policy for correct mathematics placement must be
17 addressed in order to ensure a fair process and chance of success
18 for all pupils.

19 SEC. 2. Section 51224.7 is added to the Education Code, to
20 read:

21 51224.7. (a) This act shall be known, and may be cited, as the
22 California Mathematics Placement Act of 2015.

23 (b) ~~Each governing board of a local educational agency~~
24 *Governing boards of local educational agencies* serving pupils in
25 grade 8 or 9, or both, *that do not have a mathematics placement*
26 *policy as of January 1, 2016*, shall develop, adopt in a regularly
27 scheduled public meeting, ~~and implement~~ *and implement* a fair,
28 objective, and transparent mathematics placement policy that does
29 all of the following:

30 (1) Systematically takes current academic objective measures
31 into consideration, such as statewide assessments, pupil grades,
32 and diagnostic placement tests.

33 (2) ~~Includes multiple progress checkpoints throughout~~ *at least*
34 *one progress checkpoint during* the academic year to permit
35 reevaluation of individual pupil progress, ~~including at least one~~
36 ~~checkpoint within the first three months of the academic year.~~
37 *progress.*

38 (3) Requires examination of pupil placement data, ~~at least~~
39 ~~annually;~~ *data annually* to ensure that there is no disproportionate
40 impact in the course placement of pupils by race, gender, ethnicity,

1 or socioeconomic background. The local educational agency shall
 2 report the aggregate results of this examination to the governing
 3 board of the local educational agency and prominently post the
 4 examination results on its Internet Web site. This report may be
 5 included as part of the local educational agency’s accountability
 6 report of its local control and accountability plan.

7 (4) Offers clear and ~~immediate~~ *timely* recourse for each pupil
 8 and his or her parent or legal guardian who questions the pupil’s
 9 placement.

10 (c) Each *governing board of a* local educational agency shall
 11 ensure that its mathematics placement policy is ~~available to each~~
 12 ~~pupil and his or her parent or legal guardian and is~~ posted
 13 prominently on its Internet Web site.

14 (d) For purposes of this section, “local educational agency”
 15 means county office of education, school district, state special
 16 school, or direct-funded charter school as described in Section
 17 47651.

18 SEC. 3. If the Commission on State Mandates determines that
 19 this act contains costs mandated by the state, reimbursement to
 20 local agencies and school districts for those costs shall be made
 21 pursuant to Part 7 (commencing with Section 17500) of Division
 22 4 of Title 2 of the Government Code.