

AMENDED IN ASSEMBLY JULY 16, 2015

AMENDED IN ASSEMBLY JUNE 24, 2015

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
(Coauthors: Senators Beall and Hancock)
(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 governing boards *or bodies* of local educational 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 *for pupils in grade 9 with specified elements. elements, and would authorize governing boards or bodies of local educational*

agencies serving pupils who are transitioning between elementary and middle school or elementary and junior high school to develop and implement a mathematics placement policy for these pupils, as applicable, with these specified elements. The bill would further require each governing board *or body* of a local educational agency to ensure that its mathematics placement policy 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) Placement in appropriate mathematics courses is critically
8 important for a pupil during his or her middle and high school
9 years. A pupil's 9th grade math course placement is a crucial
10 crossroads for his or her future educational success. Misplacement
11 in the sequence of mathematics courses creates a number of barriers
12 and results in pupils being less competitive for college admissions,
13 including admissions at the California State University and
14 University of California.

15 (c) The most egregious examples of mathematics misplacement
16 occur with successful pupils and, disproportionately, with
17 successful pupils of color. These successful pupils are achieving
18 a grade of "B" or better, or are testing at proficient or even
19 advanced proficiency on state assessments. Nevertheless, they are

1 held back to repeat 8th grade mathematics coursework rather than
2 advancing to the next course in the recommended mathematics
3 course sequence.

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

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

11 (f) All pupils, regardless of ~~race or ethnic~~ *race, ethnicity, gender,*
12 *or socioeconomic* background, deserve an equal chance to advance
13 in mathematics.

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

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

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

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

27 SEC. 2. Section 51224.7 is added to the Education Code, to
28 read:

29 51224.7. (a) This act shall be known, and may be cited, as the
30 California Mathematics Placement Act of 2015.

31 (b) Governing boards *or bodies* of local educational agencies
32 serving pupils in grade 8 or 9, or both, that do not have a
33 mathematics placement policy as of January 1, 2016, shall develop,
34 adopt in a regularly scheduled public meeting, and implement a
35 fair, objective, and transparent mathematics placement policy *for*
36 *pupils in grade 9* that does all of the following:

37 (1) Systematically takes multiple objective academic measures
38 *of pupil performance* into ~~consideration, such as year-end grade~~
39 ~~8 assessments, pupil grades, and coursework.~~ *consideration. For*
40 *purposes of this paragraph, “objective academic measures” means*

1 *measures, such as statewide mathematics assessments, including*
2 *interim and summative assessments authorized pursuant to Section*
3 *60640, placement tests that are aligned to state-adopted content*
4 *standards in mathematics, classroom assignment and grades, and*
5 *report cards.*

6 (2) Includes at least one placement checkpoint within the first
7 month of the ~~academic~~ school year to ensure accurate placement
8 and permit reevaluation of individual pupil progress.

9 (3) Requires examination of aggregate pupil placement data
10 annually to ensure that ~~there is no disproportionate impact in the~~
11 ~~course placement of pupils by race, gender, ethnicity, or~~
12 ~~socioeconomic background.~~ *pupils who are qualified to progress*
13 *in mathematics courses based on their performance on objective*
14 *academic measures selected for inclusion in the policy pursuant*
15 *to paragraph (1) are not held back in a disproportionate manner*
16 *on the basis of their race, ethnicity, gender, or socioeconomic*
17 *background. The local educational agency shall report the*
18 *aggregate results of this examination to the governing board or*
19 *body of the local educational agency and prominently post the*
20 *examination results on its Internet Web site. ~~This report may be~~*
21 *included as part of the local educational agency's accountability*
22 *report of its local control and accountability plan.*

23 (4) Offers clear and timely recourse for each pupil and his or
24 her parent or legal guardian who questions the pupil's placement.

25 (5) *For nonunified school districts, addresses the consistency*
26 *of mathematics placement policies between elementary and high*
27 *school districts.*

28 (c) *Governing boards or bodies of local educational agencies*
29 *servicing pupils who are transitioning between elementary and*
30 *middle school or elementary and junior high school may develop*
31 *and implement a mathematics placement policy for these pupils,*
32 *as applicable, that satisfies paragraphs (1) to (5), inclusive, of*
33 *subdivision (b).*

34 (e)

35 (d) Each governing board *or body* of a local educational agency
36 shall ensure that its mathematics placement policy is posted
37 prominently on its Internet Web site.

38 (d)

39 (e) For purposes of this section, "local educational agency"
40 means county office of education, school district, state special

1 school, or ~~direct-funded charter school as described in Section~~
2 ~~47651: charter school.~~

3 SEC. 3. 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.

O