

AMENDED IN ASSEMBLY AUGUST 28, 2015

AMENDED IN ASSEMBLY AUGUST 17, 2015

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**

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**Introduced by Senator Mitchell**  
**(Coauthors: Senators Beall and Hancock)**  
(Coauthor: Assembly Member Jones-Sawyer)

February 24, 2015

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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, that serve pupils entering grade 9 and that have not adopted a fair, objective, and transparent mathematics placement policy as of January 1, 2016, ~~to~~ *to, before the beginning of*

*the 2016–17 school year*, develop and adopt, in a regularly scheduled public meeting, a fair, objective, and transparent mathematics placement policy for pupils entering grade 9 with specified 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 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

1 successful pupils of color. These successful pupils are achieving  
2 a grade of “B” or better, or are testing at proficient or even  
3 advanced proficiency on state assessments. Nevertheless, they are  
4 held back to repeat 8th grade mathematics coursework rather than  
5 advancing to the next course in the recommended mathematics  
6 course sequence.

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

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

14 (f) All pupils, regardless of race, ethnicity, gender, or  
15 socioeconomic background, deserve an equal chance to advance  
16 in mathematics.

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

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

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

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

30 SEC. 2. Section 51224.7 is added to the Education Code, to  
31 read:

32 51224.7. (a) This act shall be known, and may be cited, as the  
33 California Mathematics Placement Act of 2015.

34 (b) Governing boards or bodies of local educational agencies  
35 that serve pupils entering grade 9 and that have not adopted a fair,  
36 objective, and transparent mathematics placement policy, as  
37 described in paragraphs (1) to (5), inclusive, as of January 1, 2016,  
38 ~~shall~~ *shall, before the beginning of the 2016–17 school year,*  
39 develop and adopt, in a regularly scheduled public meeting, a fair,

1 objective, and transparent mathematics placement policy for pupils  
2 entering grade 9 that does all of the following:

3 (1) Systematically takes multiple objective academic measures  
4 of pupil performance into consideration. For purposes of this  
5 paragraph, “objective academic measures” means measures, such  
6 as statewide mathematics assessments, including interim and  
7 summative assessments authorized pursuant to Section 60640,  
8 placement tests that are aligned to state-adopted content standards  
9 in mathematics, classroom assignment and grades, and report cards.

10 (2) Includes at least one placement checkpoint within the first  
11 month of the school year to ensure accurate placement and permit  
12 reevaluation of individual pupil progress.

13 (3) Requires examination of aggregate pupil placement data  
14 annually to ensure that pupils who are qualified to progress in  
15 mathematics courses based on their performance on objective  
16 academic measures selected for inclusion in the policy pursuant  
17 to paragraph (1) are not held back in a disproportionate manner  
18 on the basis of their race, ethnicity, gender, or socioeconomic  
19 background. The local educational agency shall report the aggregate  
20 results of this examination to the governing board or body of the  
21 local educational agency.

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

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

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

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

36 (e) For purposes of this section, “local educational agency”  
37 means county office of education, school district, state special  
38 school, or charter school.

39 SEC. 3. If the Commission on State Mandates determines that  
40 this act contains costs mandated by the state, reimbursement to

1 local agencies and school districts for those costs shall be made  
2 pursuant to Part 7 (commencing with Section 17500) of Division  
3 4 of Title 2 of the Government Code.

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