

Introduced by Senator Wyland

February 23, 2012

An act to amend Section 52056 of, and to add Section 60648.5 to, the Education Code, relating to pupil assessments.

LEGISLATIVE COUNSEL'S DIGEST

SB 1322, as introduced, Wyland. Pupil assessments: public hearings.

(1) Existing law requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, designated achievement tests. Existing law establishes the Public Schools Accountability Act of 1999 and requires the Superintendent of Public Instruction to develop an Academic Performance Index (API), which consists in part of the results of the tests administered pursuant to the Standardized Testing and Reporting (STAR) Program, to measure the performance of schools and to rank schools based on the value of the API. Existing law requires schools to report their ranking, including a description of the components of the API, in their annual school accountability report card. Existing law requires the governing board of each school district to discuss the results of the annual ranking at the next regularly scheduled meeting following the annual publication of the API and school rankings by the Superintendent and encourages that meeting to include a discussion that examines STAR test results by school, grade, and subgroup, as specified.

This bill would require the governing board of a school district to conduct a public hearing to discuss, analyze, and compare the results of the API, STAR test scores, and school rankings and would instead require that public hearing to include a discussion that examines STAR test results by school, grade, and subgroup, as specified.

Existing law authorizes the governing board of a school district to conduct an assessment of the reasons for a school's performance results, by grade, and adopt an improved performance plan, as specified, for specified low performing schools.

This bill would instead require the governing board of a school district to perform these functions.

(2) This bill would require the governing board of a school district to notify in writing specified persons and entities if it chooses to hold a public hearing at one of its regularly scheduled meetings to discuss pupil achievement on the reading, English language arts, and mathematics portions of the achievement tests administered pursuant to the STAR program and pupil progress toward meeting the optimum performance levels on those tests.

(3) By requiring school districts to perform additional duties relating to public hearings for pupil assessments, this bill would impose a state-mandated local program.

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. Section 52056 of the Education Code is amended
2 to read:
3 52056. (a) The High Achieving/Improving Schools Program
4 is hereby established. ~~Commencing in June 2000, and every June~~
5 ~~thereafter, Every June~~, the Superintendent of Public Instruction,
6 with approval of the ~~State Board of Education~~ *state board*, shall
7 rank all public schools based on the Academic Performance Index
8 (API) established pursuant to Section 52052. The schools shall be
9 ranked by the value of the API in decile categories by grade level
10 of instruction provided and shall include three categories:
11 elementary, middle, and high school. The schools shall also be
12 ranked by the value of the API when compared to schools with

1 similar characteristics. ~~Commencing in June 2001, the~~ *The*
2 Superintendent of Public Instruction shall also report the target
3 annual growth rates of schools and the actual growth rates attained
4 by the schools. For purposes of this section, similar characteristics
5 include, but are not limited to, the following characteristics, insofar
6 as data is available from the ~~State Department of Education's~~
7 *department's* data: pupil mobility, pupil ethnicity, pupil
8 socioeconomic status, percentage of teachers who are fully
9 credentialed, percentage of teachers who hold emergency
10 credentials, percentage of pupils who are English-language learners,
11 average class size per grade level, and whether the schools operate
12 multitrack year-round educational programs. The Superintendent
13 of Public Instruction shall annually publish these rankings on the
14 Internet.

15 (b) All schools shall report their ranking, including a description
16 of the components of the API, in their annual school accountability
17 report card pursuant to Sections 33126 and 35256.

18 (c) Following the annual publication of the API ~~and, scores on~~
19 *tests administered pursuant to the Standardized Testing and*
20 *Reporting (STAR) Program set forth in Article 4 (commencing*
21 *with Section 60640) of Chapter 5 of Part 33, and school rankings*
22 *by the Superintendent of Public Instruction, the governing board*
23 *of each a school district shall discuss the results of the annual*
24 *ranking at the next regularly scheduled meeting conduct a public*
25 *hearing to discuss, analyze, and compare the results.* The
26 governing board ~~is strongly encouraged to~~ *shall* include in the
27 discussion an examination of *STAR test scores* by school, grade,
28 and subgroup enumerated by and in accordance with ~~subclause~~
29 ~~(H) of clause (v) of subparagraph (C) of paragraph (2) of subsection~~
30 ~~(b) of Section 6311 6311(b)(2)(C)(v)(II) of Title 20 of the United~~
31 ~~States Code, of scores on the tests administered pursuant to the~~
32 ~~Standardized Testing and Reporting (STAR) Program set forth in~~
33 ~~Article 4 (commencing with Section 60640) of Chapter 5 of Part~~
34 ~~33.~~

35 (d) If the average STAR test score of the school is below the
36 50th percentile, or if the test scores of more than 25 percent of the
37 pupils of a school are below the 50th percentile, the school district
38 governing board ~~may~~ *shall* do both of the following:

39 (1) Conduct an assessment of the reasons for the performance
40 results of the school, by grade.

(2) Adopt an improved performance plan that includes methods determined by the district to have been used by schools with similar pupil populations elsewhere in the district or state and significantly higher pupil scores. If it is deemed not feasible to adopt those methods, the plan shall explain why an alternate approach is preferable. If a school district governing board adopts an improved performance plan, it shall reevaluate the plan at each future annual meeting described by subdivision (c), until STAR test scores reach a level above those specified in this subdivision.

SEC. 2. Section 60648.5 is added to the Education Code, to read:

60648.5. (a) If the governing board of a school district holds a public hearing at a regularly scheduled meeting to discuss pupil achievement on the reading, English language arts, and mathematics portions of the achievement tests administered pursuant to this article and pupil progress toward meeting the optimum performance levels on those tests, the governing board shall do so in the manner specified in this section.

(b) The governing board may not place this discussion on the consent calendar.

(c) The governing board of a school district shall notify in writing all of the following persons and entities of each public hearing held for the purpose specified in subdivision (a):

(1) Representative parent organizations at the schoolsite, including the parent teacher associations, clubs, or organizations, and schoolsite councils. The Legislature encourages school districts to notify parents directly through appropriate means.

(2) All local major media outlets.

(3) The mayor of a city located in the district.

(4) All members of a city council of a city located in the district.

(5) All members of the county board of supervisors of a county located in the district.

(6) The county superintendent of schools.

(7) The county board of education.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

O