AMENDED IN SENATE JUNE 18, 2009

AMENDED IN ASSEMBLY APRIL 22, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL No. 1130

Introduced by Assembly Member Solorio
(Principal coauthor: Senator Romero)
(Coauthor: Assembly Member Mendoza)

February 27, 2009

An act to add Section 52052.6 to the Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1130, as amended, Solorio. Academic performance.

Existing law requires the Superintendent of Public Instruction to establish an advisory committee to make recommendations by July 1, 2005, on a methodology for generating a measurement of academic performance by utilizing unique pupil identifiers for pupils and annual academic achievement growth to provide a more accurate measure of a school's growth over time. Existing law also requires, if appropriate and feasible, the Superintendent, with the approval of the state board, to implement this measurement of academic performance.

This bill would state findings and declarations regarding standards-based education reform, assessments, and accountability and the use of cohort growth measures in accountability systems and intervention determinations.

This bill would state the intent of the Legislature that the committee take into consideration specified recommendations and consider measures already in use by other states. The bill would also provide

that if the committee considers any measure of annual academic achievement growth, the measure of annual academic achievement growth by cohort approved in connection with requirements described above or adopted through a state plan, as specified, shall meet certain requirements.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares all of the following:

(a) California began the 21st century among a small group of states that lead the nation in standards-based education reform, assessments, and accountability. However, other states have now surpassed California, particularly with the use of cohort growth measures in accountability systems and intervention determinations.

(b) California's current public school accountability system is based on a static model that compares snapshots of individual school and school district academic performance by grade level. Therefore, determinations of whether or not schools have met growth targets are calculated by comparing the difference in achievement from one year to the next of different cohorts of pupils.

(c) This accountability system fails to adjust for the fact that beginning levels of achievement vary each school year among cohorts. As a result, schools and school districts, particularly with middle grades and at the secondary level, are often unfairly held accountable for the low performance of the school the pupils previously attended.

(d) The limitations of a static model make it difficult for California's accountability system to provide meaningful, reliable, and valid longitudinal information to parents, educators, and policy makers on whether or not local schools and school districts are improving at a rate that will achieve success for all of California's pupils within a reasonable period of time.

(e) A cohort growth measure incorporated into California's public school accountability system will enable the state to more fairly evaluate the academic achievement of California public

schools and school districts, and to hold them accountable for results.

(f) At the school and school district level, measuring each cohort's academic growth over time will provide better information to assist educators in identifying pupils who need additional assistance and identify where resources can best be targeted to close achievement gaps.

(g) Parents, educators, and community leaders will be best served by a public school accountability system that includes a cohort growth measure that provides consistent, reliable, and valid information as they collaborate to meet the needs of all pupils, each year.

SEC. 2. Section 52052.6 is added to the Education Code, to read:

52052.6. (a) It is the intent of the Legislature that, in conducting its responsibilities pursuant to subdivision (b) of Section 52052.5, the *advisory* committee take into consideration the recommendations of the California pilot study conducted pursuant to Provision 10 of Item 6110-113-0890 of the Budget Act of 2007, the statutory and regulatory requirements and related guidance pursuant to the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.), and waivers for cohort growth measures approved for other states by the United States Secretary of Education.

(b) It is the intent of the Legislature that the advisory committee established pursuant to Section 52052.5 also consider measures already in use by other states to facilitate the identification of various performance levels of cohort growth, including, but not limited to, whether each ~~student~~ *pupil*, subgroup, school, and school district made at least one year's academic growth in one year's time and whether the amount of academic growth is adequate to reach a performance level of proficient within a timeframe specified in the state's approved accountability plan required pursuant to the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.), and to provide the ability to determine the following with reasonable statistical confidence:

(1) High achievement with a growth rate indicating ability to remain at proficiency or to move into the highest range of achievement.

(2) High achievement with a growth rate indicating ability to remain at least at proficiency.

(3) Low achievement with a growth rate indicating ability to reach proficiency within a specified timeframe.

(4) Low achievement with a growth rate indicating significant inability to reach proficiency within a specified timeframe.

(c) If the advisory committee established pursuant to Section 52052.5 considers a measure of annual academic achievement growth pursuant to Section 52052.5, any measure of annual academic achievement growth by cohort approved in connection with requirements of Section 52052.5 or adopted through a state plan approved by the State Educational Agency pursuant to any provision, or waiver of, the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.), or any other plan submitted by the state as a requirement of receiving or allocating federal funds shall:

(1) Utilize a growth model in the public domain that is not proprietary.

(2) Be able to be replicated by an independent statistician.

(3) Be able to be fully and accurately explained, including the generation of all results, the specification of the standard error, and the stringency of the confidence interval used to determine whether the annual change in test scores is statistically significant, in a document available to the public.

(d) The Legislature finds and declares the importance of transparency and full disclosure of the activities and recommendations of the advisory committee established pursuant to Section 52052.5. Therefore, the Legislature requests the advisory committee, in making any notification required by Article 9 (commencing with Section 11120) of Division 3 of Title 2 of the Government Code, to additionally notify in writing the chairpersons of the Committees on Education and on Appropriations of the Senate and Assembly, including, but not limited to, any activities that may be conducted pursuant to subdivision (c).

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