

# Categorical Program Managers Legislative Report 6/13/2011

## Accountability & School Improvement

### **AB 203 (Brownley D) Public schools: parent empowerment: school intervention.**

**Last Amend:** 5/11/2011

**Status:** 6/8/2011- Referred to Com. on ED.

**Summary:** Existing law requires a local educational agency to implement one of several specified interventions for a school not identified as a persistently lowest-achieving school that, after one full school year, fails to meet specified criteria and has a specified percentage of parents and legal guardians of pupils sign a petition requesting the local educational agency to implement at least one of 5 specified interventions. Existing law requires a local educational agency to implement the intervention option requested by the petition unless the agency makes a specified finding in a regularly scheduled public hearing. This bill would require interventions to be implemented also for a school that is identified as persistently lowest-achieving but does not receive specified school improvement grant funding. The bill would require a governing board of a local educational agency to allow parents and legal guardians to provide testimony at the regularly scheduled public hearing. To the extent these provisions would impose additional duties on local educational agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

### **AB 224 (Bonilla D) School accountability: Academic Performance Index.**

**Last Amend:** 5/27/2011

**Status:** 6/10/2011-In committee: Hearing postponed by committee. (Refers to 6/10/2011 hearing)

**Summary:** The Public Schools Accountability Act of 1999 requires the Superintendent of Public Instruction to develop an Academic Performance Index (API), which measures the performance of schools and the academic performance of pupils and consists of a variety of indicators, including pupil scores from a list of specified tests. The results of those specified tests constitute 60% of the value of the API. This bill, commencing with the 2012-13 fiscal year, would require the Superintendent, in consultation with the State Board of Education, to incorporate various indicators into the API, including high school graduation rates, rates by which pupils complete a course of study at an achievement level that fulfills the requirements and prerequisites for admission to California public institutions of postsecondary education, and rates by which pupils complete a course of study that provides the skills and knowledge necessary to attain entry-level employment in business or industry when they graduate from high school. This bill contains other related provisions and other existing laws.

### **AB 1049 (Brownley D) Schools: low-achieving schools.**

**Status:** 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)

**Summary:** The Public Schools Accountability Act of 1999 requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop the Academic Performance Index (API) consisting of a variety of indicators currently reported to the State Department of Education to track the achievement of schools and their pupils. Existing law requires the API to be used for specified purposes, including, but not limited to, ranking all public schools in the state. The Immediate Intervention/Underperforming Schools Program, the High Priority Schools Program, and the Quality Education Investment Act of 2006 are intended to provide support to schools ranked in the lower deciles of the API. This bill would require the Legislative Analyst's Office to convene a working group to identify a single formula that defines, to the greatest extent possible, persistently lowest performing schools and that can be used in both state and federal accountability programs. The bill would require the working group to include representatives from the Legislative Analyst's Office, the Department of Finance, the State Department of Education, the advisory committee described above, the state board, the staffs of the fiscal and policy committees of the Legislature, and stakeholder groups. The bill would require the working group to develop and report its recommendations to the state board and the education policy committees of the Legislature by July 1, 2012. This bill contains other existing laws.

### **SB 240 (Rubio D) Truancy: collective action.**

**Last Amend:** 5/4/2011

**Status:** 6/3/2011-Failed Deadline pursuant to Rule 61(a)(8). (Last location was APPR. SUSPENSE FILE on 5/23/2011)

**Summary:** Existing law establishes the system of public elementary and secondary schools in this state. Existing law provides that each person between the ages of 6 and 18 years, with specified exceptions, is subject to compulsory full-time education. Existing law specifies that any pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without valid excuse 3 full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof, is a truant. This bill would prohibit a parent or guardian from being subject to prosecution under this provision because of an absence of the pupil due to collective action, as

defined. The bill would define collective action as an action in which the parents or guardians of a majority of the pupils enrolled in a grade level at a public elementary, middle, or secondary school withhold their children from attendance at that school because of a grievance these parents, guardians, pupils, or other members of the school community are presenting to the administration of the school or school district relating to the alleged failure to provide pupils with educational opportunity, as specified. The bill would prescribe a procedure for the commencement and conclusion of a collective action under the bill. This procedure would require the presentation of a petition setting forth the grounds for the grievance to the school principal, schoolsite council if one exists, and the secretary or presiding officer of the governing board of the school district. This bill contains other related provisions and other existing laws.

**SB 547** (Steinberg D) Public school performance accountability: Academic Performance Index.

**Last Amend:** 5/4/2011

**Status:** 6/9/2011-Referred to Com. on ED.

**Summary:** Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop an Academic Performance Index (API) to measure the performance of schools and pupils. Existing law requires that the API consist of a variety of indicators, and that the results of specified academic tests comprise at least 60% of the value of the API. This bill would instead require that for schools serving pupils in kindergarten and any of grades 1 to 8, inclusive, results of these tests comprise a minimum of 40% of the value of the API, and for schools serving pupils in any of grades 9 to 12, inclusive, the results of the tests comprise a maximum of 40% of the value of the API. The bill would require that in addition to the indicators that are currently included in the API, that college and career preparedness be included as an indicator. This bill contains other related provisions and other existing laws.

**SB 645** (Simitian D) Charter schools: charter renewal.

**Last Amend:** 5/11/2011

**Status:** 6/9/2011-Referred to Com. on ED.

**Summary:** The Charter Schools Act of 1992 (Charter Schools Act) specifies the procedures for the submission, review, and approval or denial of a petition to establish a charter school. The Charter Schools Act limits the duration of charters to a period not to exceed 5 years, and authorizes the chartering authority to grant one or more subsequent renewals for an additional period of 5 years. The Charter Schools Act prescribes the requirements a charter school must meet in order to have its charter renewed, including a requirement that a charter school that has been in operation for 4 years satisfy at least one of several specified criteria regarding academic performance. This bill would change the criteria a charter school is required to meet in order to have its charter renewed. This bill contains other related provisions.

**SB 789** (Price D) Public School Performance Accountability Program: Creative and Innovative Education Index.

**Last Amend:** 4/14/2011

**Status:** 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/9/2011)

**Summary:** The Public Schools Accountability Act of 1999 requires the Superintendent of Public Instruction to develop an Academic Performance Index (API), which measures the performance of schools and the academic performance of pupils. Existing law requires the Superintendent to establish an advisory committee to advise the Superintendent and the State Board of Education on all appropriate matters relative to the creation of the API and the implementation of an accountability system. Existing law requires the Superintendent and the state board, in consultation with the advisory committee, by July 1, 2013, to make recommendations to the Legislature and the Governor on, among other things, the establishment of a methodology for generating a measurement of group and individual academic performance growth by using individual pupil results from a longitudinally valid achievement assessment system. This bill would require the advisory committee to consult, as appropriate, with individuals who are experts or have experience in innovation in the fields of business, science, technology, mathematics, engineering, and arts education on the development of a voluntary Creative and Innovative Education Index, to be based in part on the creative opportunities in each participating school, as specified. The bill would require the advisory committee to make recommendations by June 1, 2013, to the Superintendent on the extent to which this index should be part of the state's accountability system and methods to foster creative and innovative education in the public schools.

**SB 885** (Simitian D) Public education accountability: longitudinal education system.

**Last Amend:** 3/24/2011

**Status:** 5/27/2011-Referred to Com. on ED.

**Summary:** Existing law establishes a system of public education in this state. This system includes public elementary and secondary schools, which provide instruction to pupils from preschool through grade 12, as well as the institutions that comprise the 3 segments of higher education, which are the California Community Colleges, the California State University, and the University of California. This bill would amend the expression of intent of the Legislature referenced above to state that the design and implementation of a high-quality, comprehensive, and longitudinal preschool through higher education (P-20) statewide data system should meet specified goals. The bill would also authorize the California Postsecondary Education Commission and the State Board of Education, in addition to the entities referenced above, to enter into a joint powers agreement, rather than interagency

agreements, to facilitate the implementation of the comprehensive longitudinal preschool through higher education (P-20) statewide data system referenced by the bill. This bill contains other existing laws.

## Assessments

- AB 124** (Fuentes D) Academic content standards: English Language Development Standards Advisory Committee.  
**Last Amend:** 5/27/2011  
**Status:** 6/8/2011-Referred to Com. on ED.  
**Summary:** This bill, co-sponsored by the Superintendent of Public Instruction, would establish the English Language Development Standards Advisory Committee responsible for updating, revising and aligning, by August 31, 2012, the English Language Development (ELD) standards with the common core English Language Arts academic content standards recently approved by the State Board of Education (SBE). In addition, AB 124 would require SBE to either adopt or reject the revised ELD standards by September 30, 2012, and includes include teachers and administrators with expertise in instructing English learners in the membership of the committee.
- AB 1246** (Brownley D) Pupil assessment: English language development.  
**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/21/2011)  
**Summary:** Existing law requires the Superintendent of Public Instruction to review tests that assess the English language development of pupils whose primary language is a language other than English. Existing law requires the tests or series of tests to meet specified requirements, including, but not limited to, a requirement that the test or series of tests be aligned with the standards for English language development adopted by the State Board of Education pursuant to specified law. This bill would require that the test or series of tests be aligned with the standards for English language development adopted by the state board pursuant to specified law, and revised thereafter.
- SB 740** (Hancock D) Pupil assessment.  
**Last Amend:** 5/31/2011  
**Status:** 6/9/2011-Referred to Com. on ED.  
**Summary:** Existing law, the Leroy Greene California Assessment of Academic Achievement Act, requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, certain achievement tests. This bill, commencing July 1, 2012, would exclude pupils in grade 2 from the standards-based achievement test requirement and make conforming changes. This bill contains other related provisions.
- SB 753** (Padilla D) Pupils: English learners: assessment.  
**Last Amend:** 5/31/2011  
**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.  
**Summary:** Existing law requires each school district that has one or more pupils who are English learners to assess the English language development of each of those pupils in order to determine the level of proficiency of those pupils. The assessment primarily consists of the administration of the California English Language Development Test (CELDT) that assesses pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills, and pupils in kindergarten and grade 1 in English listening and speaking. Existing law requires that the assessment be conducted upon initial enrollment, and annually thereafter during a period of time determined by the Superintendent of Public Instruction and the State Board of Education, until the pupil is redesignated as English proficient. This bill, commencing with the 2013-14 school year, would require the annual assessment to be conducted during a 3-month test period commencing with the day upon which 65% of the instructional year is completed, and would provide which assessment is to be used for purposes of an initial enrollment .
- SB 754** (Padilla D) Pupil assessment: California English Language Development Test.  
**Last Amend:** 4/6/2011  
**Status:** 5/19/2011-Referred to Com. on ED.  
**Summary:** Existing law requires each school district that has one or more pupils who are English learners to assess the English language development of each of those pupils upon initial enrollment in order to determine the level of proficiency of those pupils and thereafter to assess each of those pupils annually until the pupil is redesignated as English proficient. The assessment primarily consists of the administration of the California English Language Development Test (CELDT) that assesses pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills, and pupils in kindergarten and grade 1 in English listening and speaking. This bill would prohibit a pupil in any of grades 3 to 12, inclusive, to the extent permitted by federal law, from being required to retake those portions of the CELDT that measure English language skills for which he or she has previously tested as early advanced or advanced within the appropriate grade span, as determined by the Department of Education in accordance with specified law . This prohibition would not become effective until the current CELDT publisher's contract expires. The bill would also state legislative findings and declarations regarding English learners and the CELDT.

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## Career Technical Education

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**AB 1330 (Furutani D) Graduation requirements: career technical education.**

**Last Amend:** 5/27/2011

**Status:** 6/2/2011-In Senate. Read first time. To Com. on RLS. for assignment.

**Summary:** Existing law prohibits a pupil from receiving a diploma of graduation from high school unless he or she completes specified requirements, including, but not limited to, completing one course in visual or performing arts or foreign language. This bill, commencing with the 2012-13 school year and until July 1, 2017, would add completion of a course in career technical education, as defined, as an alternative to the requirement that a pupil complete a course in visual or performing arts or foreign language. This bill contains other related provisions.

**SB 275 (Hancock D) Career technical education: funding.**

**Last Amend:** 5/31/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law provides funding for various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs. The bill would require the Superintendent to align the accountability measures for regional occupational centers and programs, agricultural career technical education programs, partnership academies, and specialized secondary education programs into a uniform accountability metric based on specified indicators and pupil data. This bill contains other existing laws.

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## Categorical Compliance

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**SB 476 (Lowenthal D) Education finance: categorical programs.**

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/3/2011)

**Summary:** Existing law establishes various categorical education programs, and appropriates the funding for those programs in the annual Budget Act. Existing law requires the Superintendent of Public Instruction, for the 2008-09 to 2012-13 fiscal years, inclusive, to apportion from the amount provided in the annual Budget Act for specified categorical education programs an amount based on the same relative proportion that the local educational agency received in the 2008-09 fiscal year for those programs, with certain specified exceptions. Existing law authorizes school districts, for the 2008-09 to 2012-13 fiscal years, inclusive, to use the categorical education program funds, with specified exceptions, for any educational purpose. This bill would extend the operation of this provision for 2 additional fiscal years, thus extending it through the 2014-15 fiscal year.

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## Charter Schools

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**SB 645 (Simitian D) Charter schools: charter renewal.**

**Last Amend:** 5/11/2011

**Status:** 6/9/2011-Referred to Com. on ED.

**Summary:** The Charter Schools Act of 1992 (Charter Schools Act) specifies the procedures for the submission, review, and approval or denial of a petition to establish a charter school. The Charter Schools Act limits the duration of charters to a period not to exceed 5 years, and authorizes the chartering authority to grant one or more subsequent renewals for an additional period of 5 years. The Charter Schools Act prescribes the requirements a charter school must meet in order to have its charter renewed, including a requirement that a charter school that has been in operation for 4 years satisfy at least one of several specified criteria regarding academic performance. This bill would change the criteria a charter school is required to meet in order to have its charter renewed. This bill contains other related provisions.

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## Data

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**AB 1088 (Eng D) State agencies: collection of demographic data.**

**Last Amend:** 5/27/2011

**Status:** 6/2/2011-In Senate. Read first time. To Com. on RLS. for assignment.

**Summary:** Existing law requires any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection

categories and tabulations for each major Asian and Pacific Islander group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian. This bill would revise and recast the specified categories. This bill would require a state agency, board, or commission that directly or by contract collects demographic data to include data on specified collection categories and tabulations in every demographic report on ancestry or ethnic origins of California residents that it publishes or releases on or after July 1, 2012. This bill contains other related provisions.

**SB 827**     **(Lowenthal D) Pupil data: California Longitudinal Pupil Achievement Data System Advisory Committee.**

**Last Amend:** 5/24/2011

**Status:** 6/9/2011-Referred to Com. on ED.

**Summary:** In its current form, this measure states the intent of the Legislature to improve the California Longitudinal Pupil Achievement Data System (CALPADS). However, it will become the vehicle to establish a CALPADS Advisory Committee to the State Superintendent of Public Instruction (SSPI) to continue the work of the current workgroup tasked with evaluating and guiding the future of CALPADS. This workgroup was created in response to the veto of CALPADS state operational funds by Governor Schwarzenegger and Governor Brown's subsequent request to evaluate and recommend how to stabilize, improve and map the future of CALPADS.

**SB 885**     **(Simitian D) Public education accountability: longitudinal education system.**

**Last Amend:** 3/24/2011

**Status:** 5/27/2011-Referred to Com. on ED.

**Summary:** Existing law establishes a system of public education in this state. This system includes public elementary and secondary schools, which provide instruction to pupils from preschool through grade 12, as well as the institutions that comprise the 3 segments of higher education, which are the California Community Colleges, the California State University, and the University of California. This bill would amend the expression of intent of the Legislature referenced above to state that the design and implementation of a high-quality, comprehensive, and longitudinal preschool through higher education (P-20) statewide data system should meet specified goals. The bill would also authorize the California Postsecondary Education Commission and the State Board of Education, in addition to the entities referenced above, to enter into a joint powers agreement, rather than interagency agreements, to facilitate the implementation of the comprehensive longitudinal preschool through higher education (P-20) statewide data system referenced by the bill. This bill contains other existing laws.

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### Education Options & At-Risk Youth

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**SB 240**     **(Rubio D) Truancy: collective action.**

**Last Amend:** 5/4/2011

**Status:** 6/3/2011-Failed Deadline pursuant to Rule 61(a)(8). (Last location was APPR. SUSPENSE FILE on 5/23/2011)

**Summary:** Existing law establishes the system of public elementary and secondary schools in this state. Existing law provides that each person between the ages of 6 and 18 years, with specified exceptions, is subject to compulsory full-time education. Existing law specifies that any pupil subject to compulsory full-time education or compulsory continuation education who is absent from school without valid excuse 3 full days in one school year or tardy or absent for more than any 30-minute period during the schoolday without a valid excuse on 3 occasions in one school year, or any combination thereof, is a truant. This bill would prohibit a parent or guardian from being subject to prosecution under this provision because of an absence of the pupil due to collective action, as defined. The bill would define collective action as an action in which the parents or guardians of a majority of the pupils enrolled in a grade level at a public elementary, middle, or secondary school withhold their children from attendance at that school because of a grievance these parents, guardians, pupils, or other members of the school community are presenting to the administration of the school or school district relating to the alleged failure to provide pupils with educational opportunity, as specified. The bill would prescribe a procedure for the commencement and conclusion of a collective action under the bill. This procedure would require the presentation of a petition setting forth the grounds for the grievance to the school principal, schoolsite council if one exists, and the secretary or presiding officer of the governing board of the school district. This bill contains other related provisions and other existing laws.

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### Education Technology

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**AB 747**     **(Huber D) Pupil instruction: online programs.**

**Last Amend:** 3/31/2011

**Status:** 6/3/2011-Failed Deadline pursuant to Rule 61(a)(8). (Last location was ED. on 4/4/2011)

**Summary:** Existing law states the intent of the Legislature to enact legislation to implement specified policy objectives regarding distance learning, which is defined as instruction in which the pupil and instructor are in different locations and interact through the use of computer and communications technology. This bill would define an online offsite classroom instructional program to mean an instructional program in which a pupil receives online instruction from a teacher who may be onsite or offsite, subject to certain requirements if the teacher is offsite.

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### English Language Learners

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**SB 753** (Padilla D) Pupils: English learners: assessment.

**Last Amend:** 5/31/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law requires each school district that has one or more pupils who are English learners to assess the English language development of each of those pupils in order to determine the level of proficiency of those pupils. The assessment primarily consists of the administration of the California English Language Development Test (CELDT) that assesses pupils in grades 2 to 12, inclusive, in English listening, speaking, reading, and writing skills, and pupils in kindergarten and grade 1 in English listening and speaking. Existing law requires that the assessment be conducted upon initial enrollment, and annually thereafter during a period of time determined by the Superintendent of Public Instruction and the State Board of Education, until the pupil is redesignated as English proficient. This bill, commencing with the 2013-14 school year, would require the annual assessment to be conducted during a 3-month test period commencing with the day upon which 65% of the instructional year is completed, and would provide which assessment is to be used for purposes of an initial enrollment.

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### Extended Learning/After School Programs/Community Schools

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**AB 747** (Huber D) Pupil instruction: online programs.

**Last Amend:** 3/31/2011

**Status:** 6/3/2011-Failed Deadline pursuant to Rule 61(a)(8). (Last location was ED. on 4/4/2011)

**Summary:** Existing law states the intent of the Legislature to enact legislation to implement specified policy objectives regarding distance learning, which is defined as instruction in which the pupil and instructor are in different locations and interact through the use of computer and communications technology. This bill would define an online offsite classroom instructional program to mean an instructional program in which a pupil receives online instruction from a teacher who may be onsite or offsite, subject to certain requirements if the teacher is offsite.

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### Graduation Requirement

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**SB 461** (Blakeslee R) High school equivalency certificates.

**Status:** 4/28/2011-Referred to Com. on ED.

**Summary:** Existing law requires the Superintendent of Public Instruction to issue a California high school equivalency certificate and an official score report, or an official score report only, to any person who has not completed high school and who meets specified requirements, including, among others, that the person meets any of the following: is at least 18 years of age; would have graduated from high school had he or she remained in school and followed the usual course of study toward graduation; or, is at least 17 years of age, has accumulated fewer than 100 units of high school credit, and is confined to a state or county hospital or to an institution maintained by a state or county correctional agency. This bill would add being at least 17 years of age and successfully completing the academic curriculum of a National Guard Youth Challenge Program as an additional option that a person could meet to satisfy that requirement.

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### Instructional Materials

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**AB 124** (Fuentes D) Academic content standards: English Language Development Standards Advisory Committee.

**Last Amend:** 5/27/2011

**Status:** 6/8/2011-Referred to Com. on ED.

**Summary:** This bill, co-sponsored by the Superintendent of Public Instruction, would establish the English Language Development Standards Advisory Committee responsible for updating, revising and

aligning, by August 31, 2012, the English Language Development (ELD) standards with the common core English Language Arts academic content standards recently approved by the State Board of Education (SBE). In addition, AB 124 would require SBE to either adopt or reject the revised ELD standards by September 30, 2012, and includes include teachers and administrators with expertise in instructing English learners in the membership of the committee.

**AB 339 (Bonilla D) Instructional materials: social content reviews: fees.**

**Last Amend:** 4/6/2011

**Status:** 6/10/2011-In committee: Hearing postponed by committee. (Refers to 6/10/2011 hearing)

**Summary:** This bill reinstates the statutory authority in Education Code (EC) Section 60050 which governs social content reviews for instructional materials through January 1, 2019. The California Department of Education (CDE) conducts social content reviews at the request of a publisher and is separate from the formal instructional materials adoption process. The actual reviews are conducted by county offices of education that are contracted with CDE and the program is entirely supported through publisher fees. Unfortunately, this program sunset on January 1, 2011.

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## Kindergarten

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**SB 30 (Simitian D) Kindergarten: age of admission and readiness.**

**Last Amend:** 3/25/2011

**Status:** 6/2/2011-Referred to Com. on ED.

**Summary:** Existing law requires that a child be admitted to kindergarten at the beginning of a school year, or at any time later in the same year, if the child will have his or her 5th birthday as specified. Existing law establishes the Kindergarten Readiness Pilot Program, which is administered by the Superintendent of Public Instruction, to permit participating school districts to provide opportunities for children to enhance their readiness for kindergarten, as provided. Existing law requires the Superintendent, by June 1, 2007, to contract for an independent longitudinal evaluation regarding the effects of the change in the entry age for kindergarten and first grade pursuant to the kindergarten readiness program. Existing law requires the independent evaluator to file an initial report by June 1, 2009, an interim report by January 1, 2011, and a final report by January 1, 2012. This bill would maketechnical, nonsubstantive changes to the kindergarten admission provision. This bill contains other related provisions.

**SB 634 (Runner R) Kindergarten: transitional kindergarten.**

**Last Amend:** 4/7/2011

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 4/27/2011)

**Summary:** Existing law requires that a child be admitted to kindergarten at the beginning of the school year, or at a later time in the same year if the child has his or her birthday before one of the following dates: (1) December 2 of the 2011-12 school year; (2) November 1 of the 2012-13 school year; (3) October 1 of the 2013-14 school year; or (4) September 1 of the 2014-15 school year and each school year thereafter. Existing law requires, as a condition of receipt of apportionments for these purposes, that a child whose admission to a traditional kindergarten is delayed be admitted to a transitional kindergarten program, as defined. This bill would prohibit a school district from offering a transitional kindergarten program unless the Department of Finance certifies that sufficient funds exist to initiate transitional kindergarten programs for all eligible children, including children of all socioeconomic statuses, English learners, and individuals with exceptional needs, without removing funding from existing state programs or services. The bill would additionally prohibit a school district from initiating a transitional kindergarten program if the district has a qualified or negative interim financial certification, as specified.

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## Misc. Curriculum Areas

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**AB 124 (Fuentes D) Academic content standards: English Language Development Standards Advisory Committee.**

**Last Amend:** 5/27/2011

**Status:** 6/8/2011-Referred to Com. on ED.

**Summary:** This bill, co-sponsored by the Superintendent of Public Instruction, would establish the English Language Development Standards Advisory Committee responsible for updating, revising and aligning, by August 31, 2012, the English Language Development (ELD) standards with the common core English Language Arts academic content standards recently approved by the State Board of Education (SBE). In addition, AB 124 would require SBE to either adopt or reject the revised ELD standards by September 30, 2012, and includes include teachers and administrators with expertise in instructing English learners in the membership of the committee.

**SB 302 (Yee D) Instructional materials: social content reviews.**

**Last Amend:** 5/31/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive. Existing law requires the state board, in reviewing and adopting instructional materials, to use specified criteria, and ensure that, in its judgment, the submitted basic instructional materials meet all of the specified criteria, including, but not limited to, compliance with the specified requirements and guidelines for social content. This bill would require the state board to adopt regulations to govern the social content reviews conducted at the request of a publisher or manufacturer of instructional materials outside the primary instructional material adoption processes. The bill would require the state board to inform the Chairperson of the Assembly Committee on Education, the Chairperson of the Senate Committee on Education, and the Superintendent of Public Instruction of content that it interprets to be the result of certain changes made to the Texas Administrative Code. The bill would authorize the State Department of Education to contract with agents to conduct the specified social content reviews and require the department to assess a fee for the review that meets specified requirements, including notice to publishers and manufacturers. The bill would repeal these provisions on January 1, 2017. This bill contains other related provisions.

**SB 789**

**(Price D) Public School Performance Accountability Program: Creative and Innovative Education Index.**

**Last Amend:** 4/14/2011

**Status:** 5/28/2011-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/9/2011)

**Summary:** The Public Schools Accountability Act of 1999 requires the Superintendent of Public Instruction to develop an Academic Performance Index (API), which measures the performance of schools and the academic performance of pupils. Existing law requires the Superintendent to establish an advisory committee to advise the Superintendent and the State Board of Education on all appropriate matters relative to the creation of the API and the implementation of an accountability system. Existing law requires the Superintendent and the state board, in consultation with the advisory committee, by July 1, 2013, to make recommendations to the Legislature and the Governor on, among other things, the establishment of a methodology for generating a measurement of group and individual academic performance growth by using individual pupil results from a longitudinally valid achievement assessment system. This bill would require the advisory committee to consult, as appropriate, with individuals who are experts or have experience in innovation in the fields of business, science, technology, mathematics, engineering, and arts education on the development of a voluntary Creative and Innovative Education Index, to be based in part on the creative opportunities in each participating school, as specified. The bill would require the advisory committee to make recommendations by June 1, 2013, to the Superintendent on the extent to which this index should be part of the state's accountability system and methods to foster creative and innovative education in the public schools.

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## Parental Involvement

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**AB 203**

**(Brownley D) Public schools: parent empowerment: school intervention.**

**Last Amend:** 5/11/2011

**Status:** 6/8/2011-Referred to Com. on ED.

**Summary:** Existing law requires a local educational agency to implement one of several specified interventions for a school not identified as a persistently lowest-achieving school that, after one full school year, fails to meet specified criteria and has a specified percentage of parents and legal guardians of pupils sign a petition requesting the local educational agency to implement at least one of 5 specified interventions. Existing law requires a local educational agency to implement the intervention option requested by the petition unless the agency makes a specified finding in a regularly scheduled public hearing. This bill would require interventions to be implemented also for a school that is identified as persistently lowest-achieving but does not receive specified school improvement grant funding. The bill would require a governing board of a local educational agency to allow parents and legal guardians to provide testimony at the regularly scheduled public hearing. To the extent these provisions would impose additional duties on local educational agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

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## School Finance

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**AB 18**

**(Brownley D) Education finance: school-based financial reporting system: Targeted Pupil Equity funding: Quality Instruction funding.**

**Last Amend:** 5/27/2011

**Status:** 6/8/2011-Referred to Com. on ED.

**Summary:** Existing law establishes the public school system in this state, and, among other things,

provides for the establishment of school districts throughout the state and for their provision of instruction at the public elementary and secondary schools they operate and maintain. Existing law establishes a public school funding system that includes, among other elements, the provision of funding to local educational agencies through state apportionments, the proceeds of property taxes collected at the local level, and other sources. This bill would enact the Education Finance Reform Act. The bill would require the Superintendent of Public Instruction, on or before December 1, 2012, to make recommendations to the Legislature and the Governor regarding prescribed topics relating to the statutory and regulatory changes that would be necessary to support the development, implementation, and use of comprehensive school-level financial data. These provisions would be repealed on December 1, 2015. The bill would require the Superintendent, on or before July 1, 2012, to make all ministerial changes that are necessary to support the future reporting of school-level financial data by local educational agencies, as specified. The bill also would require the Superintendent, on or before July 1, 2012, and annually thereafter, to notify the superintendent of each school district and county office of education, and the administrator of each charter school, of specified items relating to tracking and reporting school-level financial data. This bill contains other related provisions and other existing laws.

**SB 476**

**(Lowenthal D) Education finance: categorical programs.**

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 3/3/2011)

**Summary:** Existing law establishes various categorical education programs, and appropriates the funding for those programs in the annual Budget Act. Existing law requires the Superintendent of Public Instruction, for the 2008-09 to 2012-13 fiscal years, inclusive, to apportion from the amount provided in the annual Budget Act for specified categorical education programs an amount based on the same relative proportion that the local educational agency received in the 2008-09 fiscal year for those programs, with certain specified exceptions. Existing law authorizes school districts, for the 2008-09 to 2012-13 fiscal years, inclusive, to use the categorical education program funds, with specified exceptions, for any educational purpose. This bill would extend the operation of this provision for 2 additional fiscal years, thus extending it through the 2014-15 fiscal year.

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**School Management**

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**AB 733**

**(Ma D) Pupil records: privacy rights.**

**Last Amend:** 3/25/2011

**Status:** 6/7/2011-In committee: Set, first hearing. Hearing canceled at the request of author.

**Summary:** This bill would amend the California Education Code to bring it into compliance with the federal Family Education Rights and Privacy Act (FERPA). For the last several years the US Department of Education has placed California's Individuals with Disabilities Education Act (IDEA) grant eligibility on conditional status due to identified Education Code provisions that are out of compliance with the federal Family Educational Rights Privacy Act (FERPA) regulations. California annually receives over \$1.2 billion in federal IDEA funding to provide much needed services to students with developmental disabilities. Conditional status requires the California Department of Education (CDE) to demonstrate that it is taking the necessary effort to address the causes of the determination. AB 733 is the documented effort to address the state's IDEA conditional status. If California continues to be out of compliance, it risks being sanctioned by the US Department of Education or having its IDEA funds reduced or withheld. By amending bringing the Education Code into compliance with federal FERPA regulations the state will help ensure that California will retain its federal IDEA grant funding eligibility so that it can continue to receive the more than \$1.2 billion federal grant for the provision of special education services to students with special needs.

**SB 204**

**(Liu D) Education governance.**

**Last Amend:** 4/26/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law establishes the State Board of Education to adopt policies, and to establish rules and regulations, not inconsistent with the laws of the state, to govern the public elementary and secondary schools of the state. Existing law provides that the state board consists of 10 members, who are appointed by the Governor to 4-year terms with the advice and consent of 2/3 of the Senate. Existing law also provides for the appointment by the Governor, with the advice and consent of 2/3 of the Senate, of a student member to a single one-year term commencing on August 1. Existing law authorizes the state board to issue subpoenas to compel the attendance of witnesses before the board, or before any member of the board, in the same manner as any court in the state. This bill would require that the 10 nonstudent appointees to the state board represent, and reside in, different geographical areas of the state, reflect the ethnic and gender diversity of the state's population, and represent the various disciplines active in the public education system. The bill would eliminate the authority of the state board to establish statewide educational policy and issue rules and regulations for the governance of public elementary and secondary schools. The bill would instead provide that the state board would advise the Governor, Legislature, and Superintendent of Public Instruction on policy matters pertaining to elementary and secondary education, and would make annual recommendations to the Legislature regarding ways to improve the quality of public education throughout the state. The bill would specify that the state board would carry out only the duties and functions expressly granted to it by the statutes and constitution of the state. This bill contains other

related provisions.

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## Special Education

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**AB 519** (Hernández, Roger D) Pupil discipline: restraint and seclusion.

**Last Amend:** 4/27/2011

**Status:** 5/10/2011-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 4/28/2011)

**Summary:** Existing law prohibits a person employed by or engaged in a public school to inflict, or cause to be inflicted, corporal punishment upon a pupil. This bill would prohibit an educational provider from using chemical restraint, as defined, mechanical restraint, as defined, physical restraint, as defined, or seclusion, as defined, for the purpose of coercion, discipline, convenience, or retaliation by staff. The bill would limit the use of physical restraint, and would specify conditions under which an educational provider would be authorized to use physical restraint. The bill would allow, until January 1, 2014, nonpublic, nonsectarian schools, and certain district-designated alternative programs, to use seclusion if specified conditions are met. This bill contains other related provisions and other existing laws.

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## Standards/Common Core

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**AB 124** (Fuentes D) Academic content standards: English Language Development Standards Advisory Committee.

**Last Amend:** 5/27/2011

**Status:** 6/8/2011-Referred to Com. on ED.

**Summary:** This bill, co-sponsored by the Superintendent of Public Instruction, would establish the English Language Development Standards Advisory Committee responsible for updating, revising and aligning, by August 31, 2012, the English Language Development (ELD) standards with the common core English Language Arts academic content standards recently approved by the State Board of Education (SBE). In addition, AB 124 would require SBE to either adopt or reject the revised ELD standards by September 30, 2012, and includes include teachers and administrators with expertise in instructing English learners in the membership of the committee.

**AB 339** (Bonilla D) Instructional materials: social content reviews: fees.

**Last Amend:** 4/6/2011

**Status:** 6/10/2011-In committee: Hearing postponed by committee. (Refers to 6/10/2011 hearing)

**Summary:** This bill reinstates the statutory authority in Education Code (EC) Section 60050 which governs social content reviews for instructional materials through January 1, 2019. The California Department of Education (CDE) conducts social content reviews at the request of a publisher and is separate from the formal instructional materials adoption process. The actual reviews are conducted by county offices of education that are contracted with CDE and the program is entirely supported through publisher fees. Unfortunately, this program sunset on January 1, 2011.

**AB 1330** (Furutani D) Graduation requirements: career technical education.

**Last Amend:** 5/27/2011

**Status:** 6/2/2011-In Senate. Read first time. To Com. on RLS. for assignment.

**Summary:** Existing law prohibits a pupil from receiving a diploma of graduation from high school unless he or she completes specified requirements, including, but not limited to, completing one course in visual or performing arts or foreign language. This bill, commencing with the 2012-13 school year and until July 1, 2017, would add completion of a course in career technical education, as defined, as an alternative to the requirement that a pupil complete a course in visual or performing arts or foreign language. This bill contains other related provisions.

**SB 140** (Lowenthal D) Instructional materials: common core academic content standards.

**Last Amend:** 5/24/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law establishes the Academic Content Standards Commission, consisting of 12 appointed members, as specified. The commission is required to develop academic content standards in language arts and mathematics and to present its recommended academic content standards to the State Board of Education. Existing law requires at least 85% of these standards to be the common core academic standards developed by the Common Core State Standards Initiative consortium or any associated or related interstate collaboration. Existing law requires the state board to adopt or reject the academic content standards. Existing law exempts instructional materials that are aligned to these standards from the requirement that the state board adopt any additional criteria that instructional materials will be required to meet at least 30 months before the materials are to be approved for adoption. This bill would require the State Department of Education to develop a list, on or before July 1, 2012, of supplemental instructional materials for use in kindergarten and grades 1 to 8, inclusive, that are aligned with California's common core academic content standards in language

arts and mathematics . The bill would require the state board to either approve or reject the supplemental instructional materials as proposed by the department. The bill also would permit the governing boards of school districts to approve supplemental instructional materials other than those approved by the state board if the governing board determines that other supplemental instructional materials are aligned with the common core academic content standards and meet the needs of the pupils of the district. The bill would require the department to maintain on its Internet Web site a list of supplemental instructional materials approved by the state board .

**SB 300 (Hancock D) Pupil instruction: instructional materials: content standards.**

**Last Amend:** 5/31/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, for governing boards, as defined, and authorizes the state board to establish criteria for that purpose. Existing law sets forth a schedule for the submission of instructional materials to the state board for adoption. Notwithstanding this schedule, existing law prohibits the state board from adopting instructional materials or following the procedures related to that adoption until the 2015-16 school year. Existing law requires the Curriculum Development and Supplemental Materials Commission to recommend curriculum frameworks for adoption by the state board and develop criteria for evaluating instructional materials. This bill would authorize the Superintendent of Public Instruction to complete the public review process of the draft version of the curriculum framework and evaluation criteria for instructional materials in history-social science that was approved for public review on July 17, 2009, by the commission, modify that framework and criteria based upon public comment, and submit the revised curriculum framework and evaluation criteria for instructional materials in history-social science to the state board for approval. The bill would require the state board to consider the adoption of a revised curriculum framework and evaluation criteria for instructional materials in history-social science by June 30, 2012. This bill contains other related provisions and other existing laws.

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**State Board of Education**

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**SB 204 (Liu D) Education governance.**

**Last Amend:** 4/26/2011

**Status:** 6/2/2011-In Assembly. Read first time. Held at Desk.

**Summary:** Existing law establishes the State Board of Education to adopt policies, and to establish rules and regulations, not inconsistent with the laws of the state, to govern the public elementary and secondary schools of the state. Existing law provides that the state board consists of 10 members, who are appointed by the Governor to 4-year terms with the advice and consent of 2/3 of the Senate. Existing law also provides for the appointment by the Governor, with the advice and consent of 2/3 of the Senate, of a student member to a single one-year term commencing on August 1. Existing law authorizes the state board to issue subpoenas to compel the attendance of witnesses before the board, or before any member of the board, in the same manner as any court in the state. This bill would require that the 10 nonstudent appointees to the state board represent, and reside in, different geographical areas of the state, reflect the ethnic and gender diversity of the state's population, and represent the various disciplines active in the public education system. The bill would eliminate the authority of the state board to establish statewide educational policy and issue rules and regulations for the governance of public elementary and secondary schools. The bill would instead provide that the state board would advise the Governor, Legislature, and Superintendent of Public Instruction on policy matters pertaining to elementary and secondary education, and would make annual recommendations to the Legislature regarding ways to improve the quality of public education throughout the state. The bill would specify that the state board would carry out only the duties and functions expressly granted to it by the statutes and constitution of the state . This bill contains other related provisions.

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**STRS/PERS**

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**SB 645 (Simitian D) Charter schools: charter renewal.**

**Last Amend:** 5/11/2011

**Status:** 6/9/2011-Referred to Com. on ED.

**Summary:** The Charter Schools Act of 1992 (Charter Schools Act) specifies the procedures for the submission, review, and approval or denial of a petition to establish a charter school. The Charter Schools Act limits the duration of charters to a period not to exceed 5 years, and authorizes the chartering authority to grant one or more subsequent renewals for an additional period of 5 years. The Charter Schools Act prescribes the requirements a charter school must meet in order to have its charter renewed, including a requirement that a charter school that has been in operation for 4 years satisfy at least one of several specified criteria regarding academic performance. This bill would change the criteria a charter school is required to meet in order to have its charter renewed. This bill

contains other related provisions.

**Total Measures: 45**

**Total Tracking Forms: 45**