

ASSEMBLY BILL

No. 1302

Introduced by Assembly Member Wayne

February 23, 2001

An act to amend Section 52053 of the Education Code, relating to low-performing schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1302, as introduced, Wayne. Education: school accountability.

Existing law, the Public Schools Accountability Act of 1999, establishes the Immediate Intervention/Underperforming Schools Program, which requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to invite schools that scored below the 50th percentile on the achievement test administered pursuant to the Leroy Greene Assessment of Academic Achievement Act to participate in the Immediate/Underperforming Schools Program.

This bill would make technical, nonsubstantive changes to those provisions.

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

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

- 1 SECTION 1. Section 52053 of the Education Code is
- 2 amended to read:
- 3 52053. (a) The Immediate Intervention/Underperforming
- 4 Schools Program is hereby established. By August 15, 1999, the
- 5 Superintendent of Public Instruction, with the approval of the

1 State Board of Education, shall invite schools that scored below
2 the 50th percentile on the achievement tests administered pursuant
3 to Section 60640 both in the spring of 1998 and in the spring of
4 1999 to participate in the Immediate
5 Intervention/Underperforming Schools Program. A school
6 invited to participate may take any action not otherwise prohibited
7 under state or federal law and that would not require
8 reimbursement by the Commission on State Mandates to improve
9 pupil performance.

10 (b) The total number of schools participating in the program in
11 1999 shall be 430. Unless subdivision (d) applies, schools that
12 apply will be selected based on the order in which they apply
13 within ranks of deciles, not to exceed 86 per decile, within the
14 following grade level categories:

15 (1) No more than 301 elementary schools.

16 (2) No more than 78 middle schools.

17 (3) No more than 52 high schools.

18 (c) The 86 schools selected within each decile range pursuant
19 to subdivision (b) shall proportionately represent elementary,
20 middle, and high schools and shall provide statewide
21 proportionate geographic representation of urban and rural
22 schools.

23 (d) If fewer than the number of schools in any grade level
24 category apply, schools that scored below the 50th percentile in
25 those grade level categories that did not apply for the program shall
26 randomly be selected by the Superintendent of Public Instruction,
27 with the approval of the State Board of Education, to participate
28 based on their proportional representation in the state until the
29 number of schools in each grade level category set forth in
30 subdivision (b) is achieved.

31 (e) If more than the requisite number of schools apply for any
32 grade level category, the Superintendent of Public Instruction shall
33 select an array of schools that reflect a broad range of academic
34 performance of schools that scored below the 50th percentile, until
35 the number of schools in each grade level category set forth in
36 subdivision (b) is achieved.

37 (f) A school selected to participate on or before September 1,
38 1999, shall be awarded a planning grant from funds appropriated
39 pursuant to paragraph (1) of subdivision (a) of Section 2 of ~~the act~~
40 ~~adding this section~~ *Chapter 3 of the Statutes of 1999 First*



1 *Extraordinary Session* in the amount of fifty thousand dollars
2 (\$50,000). A school selected to receive federal funds pursuant to
3 paragraph (2) of subdivision (a) of Section 2 of ~~the act adding this~~
4 ~~section—Chapter 3 of the Statutes of 1999~~ *Frist Extraordinary*
5 *Session* shall be awarded an implementation grant in an amount of
6 at least fifty thousand dollars (\$50,000) pursuant to Public Law
7 105-78.

8 (g) Schools receiving funding under paragraph (2) of
9 subdivision (a) of Section 2 of the act adding this section shall
10 comply with Public Law 105-78.

11 (h) By September 15, 2000, and each year thereafter, the
12 Superintendent of Public Instruction, with the approval of the
13 State Board of Education, shall identify schools that failed to meet
14 their Academic Performance Index (API) growth targets and that
15 have an API below the 50th percentile relative to all other public
16 elementary, middle or high schools. The Superintendent of Public
17 Instruction shall invite these schools to participate in the
18 Immediate Intervention/Underperforming Schools Programs. A
19 school invited to participate may take any action to improve pupil
20 performance not otherwise prohibited under state or federal law
21 and that would not require reimbursement by the Commission on
22 State Mandates.

23 (i) The total number of schools selected for participation in the
24 program shall be no more than the number that can be funded
25 through the total appropriation for the planning grants referenced
26 in subdivision (l) below.

27 (j) If fewer schools apply for participation than can be funded,
28 the Superintendent of Public Instruction, with the approval of the
29 State Board of Education, shall randomly select the balance of
30 schools from schools eligible to participate that did not apply.
31 Insofar as possible, the schools randomly selected should reflect
32 a representative proportion of elementary, middle and high
33 schools, as well as a broad range of academic achievement.

34 (k) If more schools apply for participation than can be funded,
35 the schools shall be selected on the order in which they apply.
36 Insofar as possible, the schools randomly selected should reflect
37 a representative proportion of elementary, middle and high
38 schools, as well as a broad range of academic achievement.

39 (l) A school selected to participate on or before October 15,
40 2000, and each year thereafter, shall be awarded a planning grant



1 from funds appropriated pursuant to this act of fifty thousand
2 dollars (\$50,000).
3 (m) Schools selected for participation in the program shall be
4 notified by the Superintendent of Public Instruction no later than
5 October 15 of each year.

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