Introduced by Senator Steinberg

February 9, 2007

An act to amend Section 52052 of the Education Code, relating to pupil achievement.

SB 219, as introduced, Steinberg. Pupil achievement: Academic Performance Index.

Existing law requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API), which consists of a variety of indicators currently reported to the State Department of Education, to track the achievement of schools and their pupils. Statutory provisions establish a specific calculation for graduation rates to be included within the API and requires the Superintendent to provide an annual report to the Legislature on the graduation and dropout rates in California.

This bill would require the Superintendent, with approval of the State Board, to revise the API to, among other things, include, by July 1, 2008, information regarding school and school district dropout rates for pupils enrolled in the 9th grade.

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

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

1   SECTION 1. (a) The Legislature finds and declares all of the
2   following:
3   (1) The high number of children leaving school without
4   completing their high school education poses a serious threat to

1 the children themselves, their families, schools, and communities,
2 and to the economic competitiveness and well-being of the
3 California economy. The potential adverse impacts of the high
4 school dropout crisis include a strain on the social welfare system
5 and a shortage of well educated Californians to fuel the 21st
6 century economy.
7 (2) New research suggests that fewer than 70 percent of 9th
8 graders in California, and fewer than 50 percent in some school
9 districts, graduate from high school. More than 150,000 California
10 high school pupils may be leaving high school each year without
11 a diploma.
12 (3) If the dropout crisis is left unchecked, demographic trends
13 suggest that the rate of future dropouts will increase. Latinos are
14 more than twice as likely as whites to leave school before
15 graduation. The Department of Finance estimates that the public
16 school enrollment of Latinos will increase by 18 percent in the
17 next 10 years. The Public Policy Institute of California predicts
18 there will be twice as many high school dropouts in California in
19 2025 as there will be jobs to support them.
20 (4) The high school dropout crisis will have detrimental effects
21 on some of the largest industries in California, including computer
22 technology and software engineering, health care, manufacturing,
23 biotechnology, the building and automotive trades, entertainment,
24 and other sectors that rely on an adequately educated workforce
25 with a minimum of a high school education.
26 (5) Dropouts impose substantial social costs on the state. They
27 are less likely than high school graduates to be employed. The jobs
28 they do find pay substantially lower wages. As a result, dropouts
29 pay lower taxes and are more likely to require public welfare
30 support. Dropouts also have poorer health and are more likely to
31 require public health support.
32 (6) Dropouts are more likely to commit crimes and become
33 incarcerated. More than 80 percent of the prisoners in California
34 in 2005 did not graduate from high school. In 2006, each inmate
35 cost California taxpayers an average of thirty-four thousand one
36 hundred fifty dollars ($34,150), according to the Department of
37 Corrections and Rehabilitation.
38 (7) Families and communities play an important role in keeping
39 children on track toward high school graduation. However, schools
40 are responsible for creating programs that engage children of

1 different backgrounds, interests, and skill levels, and for keeping
2 a close watch on truancy, course failure, and behavior problems
3 that are the markers of a pupil at risk for dropping out of school.
4   (b) It is the intent of the Legislature to do all of the following:
5   (1) Take action to encourage more children and families to
6 comply with the compulsory education law, which requires children
7 to stay in school until 18 years of age, with few exceptions.
8   (2) Require the state education data collection and reporting
9 system to efficiently and accurately report school-level data on
10 high school dropouts and accurately identify elementary, middle,
11 and high school pupils who display warning signs of
12 disengagement from school.
13   (3) Ensure that schools develop strategies to help pupils get
14 back on track who are identified as being at risk of dropping out
15 of school.
16   (4) Create greater opportunities for at-risk pupils to develop
17 meaningful relationships with teachers, counselors, or both, who
18 know the pupils as individuals; for the close monitoring of the
19 attendance of at-risk pupils; for the tracking of the progress of
20 at-risk pupils in school; for study and life skills to be imparted to
21 at-risk pupils; and for at-risk pupils to receive help in understanding
22 the value of a high school diploma and a college degree to their
23 future productivity and prosperity.
24   SEC. 2. Section 52052 of the Education Code is amended to
25 read:
26   52052. (a) (1) The Superintendent, with approval of the ~~state~~
27 ~~board~~ *State Board*, shall develop an Academic Performance Index
28 (API), to measure the performance of schools, especially the
29 academic performance of pupils.
30   (2) A school shall demonstrate comparable improvement in
31 academic achievement as measured by the API by all numerically
32 significant pupil subgroups at the school, including:
33   (A) Ethnic subgroups.
34   (B) Socioeconomically disadvantaged pupils.
35   (C) English language learners.
36   (D) Pupils with disabilities.
37   (3) (A) For purposes of this section, a numerically significant
38 pupil subgroup is one that meets both of the following criteria:
39   (i) The subgroup consists of at least 50 pupils each of whom
40 has a valid test score.

1   (ii) The subgroup constitutes at least 15 percent of the total
2 population of pupils at a school who have valid test scores.
3   (B) If a subgroup does not constitute 15 percent of the total
4 population of pupils at a school who have valid test scores, the
5 subgroup may constitute a numerically significant pupil subgroup
6 if it has at least 100 valid test scores.
7   (C) For a school with an API score that is based on no fewer
8 than 11 and no more than 99 pupils with valid test scores,
9 numerically significant subgroups shall be defined by the
10 Superintendent, with approval by the state board *State Board.*
11   (4) The API shall consist of a variety of indicators currently
12 reported to the department, including, but not limited to, the results
13 of the achievement test administered pursuant to Section 60640,
14 attendance rates for pupils in elementary schools, middle schools,
15 and secondary schools, and the graduation rates for pupils in
16 secondary schools.
17   (A) Graduation rates for pupils in secondary schools shall be
18 calculated for the API as follows:
19   (i) The number of pupils who graduated on time for the current
20 school year, which is considered to be three school years after the
21 pupils entered 9th grade for the first time, divided by the total
22 calculated in paragraph (2).
23   (ii) The number of pupils entering 9th grade for the first time
24 in the school year three school years prior to the current school
25 year, plus the number of pupils who transferred into the class
26 graduating at the end of the current school year between the school
27 year that was three school years prior to the current school year
28 and the date of graduation, less the number of pupils who
29 transferred out of the school between the school year that was three
30 school years prior to the current school year and the date of
31 graduation who were members of the class that is graduating at
32 the end of the current school year.
33   (B) The pupil data collected for the API that comes from the
34 achievement test administered pursuant to Sections 60640 and
35 60644 and the high school exit examination administered pursuant
36 to Section 60851, when fully implemented, shall be disaggregated
37 by special education status, English language learners,
38 socioeconomic status, gender and ethnic group. Only the test scores
39 of pupils who were counted as part of the enrollment in the annual
40 data collection of the California Basic Educational Data System

1 for the current fiscal year and who were continuously enrolled
2 during that year may be included in the test result reports in the
3 API score of the school. Results of the achievement test and other
4 tests specified in subdivision (b) shall constitute at least 60 percent
5 of the value of the index.
6 (C) Before including high school graduation rates and attendance
7 rates in the API, the Superintendent shall determine the extent to
8 which the data are currently reported to the state and the accuracy
9 of the data. Notwithstanding any other provision of law, graduation
10 rates for pupils in dropout recovery high schools shall not be
11 included in the API. For purposes of this subparagraph, "dropout
12 recovery high school" means a high school in which 50 percent
13 or more of its pupils have been designated as dropouts pursuant
14 to the exit/withdrawal codes developed by the department.
15 (D) The Superintendent shall provide an annual report to the
16 Legislature on the graduation and dropout rates in California and
17 shall make the same report available to the public. The report shall
18 be accompanied by the release of publicly accessible data for each
19 school district and school in a manner that provides for
20 disaggregation based upon socioeconomically disadvantaged pupils
21 and numerically significant subgroups scoring below average on
22 statewide standards aligned assessments. In addition, the data shall
23 be made available in a manner that provides for comparisons of a
24 minimum of three years of data.
25 (b) Pupil scores from the following tests, when available and
26 when found to be valid and reliable for this purpose, shall be
27 incorporated into the API:
28 (1) The assessment of the applied academic skills matrix test
29 developed pursuant to Section 60604.
30 (2) The nationally normed test designated pursuant to Section
31 60642.
32 (3) The standards-based achievement tests provided for in
33 Section 60642.5.
34 (4) The high school exit examination.
35 (c) Based on the API, the Superintendent shall develop, and the
36 state board *State Board* shall adopt, expected annual percentage
37 growth targets for all schools based on their API baseline score
38 from the previous year. Schools are expected to meet these growth
39 targets through effective allocation of available resources. For
40 schools below the statewide API performance target adopted by

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1 the ~~state board~~ *State Board* pursuant to subdivision (d), the
2 minimum annual percentage growth target shall be 5 percent of
3 the difference between the actual API score of a school and the
4 statewide API performance target, or one API point, whichever is
5 greater. Schools at or above the statewide API performance target
6 shall have, as their growth target, maintenance of their API score
7 above the statewide API performance target. However, the ~~state~~
8 ~~board~~ *State Board* may set differential growth targets based on
9 grade level of instruction and may set higher growth targets for
10 the lowest performing schools because they have the greatest room
11 for improvement. To meet its growth target, a school shall
12 demonstrate that the annual growth in its API is equal to or more
13 than its schoolwide annual percentage growth target and that all
14 numerically significant pupil subgroups, as defined in subdivision
15 (a), are making comparable improvement.
16   (d) Upon adoption of state performance standards by the ~~state~~
17 ~~board~~ *State Board*, the Superintendent shall recommend, and the
18 ~~state board~~ *State Board* shall adopt, a statewide API performance
19 target that includes consideration of performance standards and
20 represents the proficiency level required to meet the state
21 performance target. When the API is fully developed, schools
22 must, at a minimum, meet their annual API growth targets to be
23 eligible for the Governor's Performance Award Program as set
24 forth in Section 52057. The ~~state board~~ *State Board* may establish
25 additional criteria that schools must meet to be eligible for the
26 Governor's Performance Award Program.
27   (e) The API shall be used for both of the following:
28   (1) Measuring the progress of schools selected for participation
29 in the Immediate Intervention/Underperforming Schools Program
30 pursuant to Section 52053.
31   (2) Ranking all public schools in the state for the purpose of the
32 High Achieving/Improving Schools Program pursuant to Section
33 52056.
34   (f) (1) A school with 11 to 99 pupils with valid test scores shall
35 receive an API score with an asterisk that indicates less statistical
36 certainty than API scores based on 100 or more test scores.
37   (2) A school shall annually receive an API score, unless the
38 Superintendent determines that an API score would be an invalid
39 measure of the performance of the school for one or more of the
40 following reasons:

1   (A) Irregularities in testing procedures occurred.
2   (B) The data used to calculate the API score of the school are
3   not representative of the pupil population at the school.
4   (C) Significant demographic changes in the pupil population
5   render year-to-year comparisons of pupil performance invalid.
6   (D) The department discovers or receives information indicating
7   that the integrity of the API score has been compromised.
8   (E) Insufficient pupil participation in the assessments included
9   in the API.
10   (3) If a school has less than 100 pupils with valid test scores,
11   the calculation of the API or adequate yearly progress pursuant to
12   the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301
13   et seq.) and federal regulations may be calculated over more than
14   one annual administration of the tests administered pursuant to
15   Sections 60640 and 60644 and the high school exit examination
16   administered pursuant to Section 60851, consistent with regulations
17   adopted by the ~~state board~~ *State Board*.
18   (g) Only schools with 100 or more test scores contributing to
19   the API may be included in the API rankings.
20   (h) The Superintendent, with the approval of the ~~state board~~
21   *State Board*, shall develop an alternative accountability system for
22   schools under the jurisdiction of a county board of education or a
23   county superintendent of schools, community day schools,
24   nonpublic, nonsectarian schools pursuant to Section 56366, and
25   alternative schools serving high-risk pupils, including continuation
26   high schools and opportunity schools. Schools in the alternative
27   accountability system may receive an API score, but shall not be
28   included in the API rankings.
29   *(i) The Superintendent, with the approval of the State Board*
30   *shall revise the API to do all of the following:*
31   *(1) By July 1, 2008, include school and school district dropout*
32   *rates for pupils who drop out of school while enrolled in the 9th*
33   *grade.*
34   *(2) Include multiple measures, including, but not limited to, all*
35   *of the following:*
36   *(A) The availability at public high schools of prerequisite*
37   *courses required for admission to the California State University*
38   *or the University of California and advanced placement courses*
39   *taught by appropriately trained teachers.*

1   *(B) The percentage of pupils graduating from high school who*
2 *are enrolling in community college and other institutions of*
3 *postsecondary education.*
4   *(C) The percentage of high school pupils who are deemed ready*
5 *for nonremedial college courses.*
6   *(D) The percentage of high school graduates who earn*
7 *associate, bachelor's, and technical degrees from institutions of*
8 *postsecondary education.*
9   *(E) Employment data for high school graduates, including wage*
10 *and salary information.*
11   *(3) Assign accountability to the school and school district of*
12 *residence for pupils enrolled in alternative education programs,*
13 *including continuation high schools and independent study, to*
14 *ensure that placement decisions are in the best interests of affected*
15 *pupils.*

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