

Assembly Bill No. 1866

Passed the Assembly August 27, 2014

Chief Clerk of the Assembly

Passed the Senate August 25, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 60901 of the Education Code, relating to pupil attendance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1866, Bocanegra. Pupil attendance: California Longitudinal Pupil Achievement Data System.

(1) Existing law establishes the California Longitudinal Pupil Achievement Data System, as provided. Existing law requires the State Department of Education, in consultation with the Department of Finance and the Legislative Analyst's Office, and contingent upon the receipt of federal funds, to prepare the system to include data on pupil attendance, as specified. Existing law requires the system to support local educational agencies in their efforts to identify and support pupils at risk of dropping out and that it be capable of issuing periodic reports to local educational agencies that include district, school, class, and individual pupil reports on the rates of absence and chronic absentees.

This bill would, subject to available state, federal, or private funding, require the State Department of Education to enhance the system, as provided. The bill would require the periodic reports to local educational agencies to include reports on the rates of absence, rates of chronic absenteeism and the number of chronic absentees, rates of truancy and the number of truants, rates of habitual truancy and the number of habitual truants, and rates of chronic truancy and the number of chronic truants. The bill would delete class information from the periodic reports. The bill would establish a definition for "rates of absence."

(2) Existing law, once the system is prepared to accept data on a quarterly rate of pupil attendance, authorizes a local educational agency to submit data to the State Department of Education on a quarterly rate of pupil attendance, and other indicators as identified by the department.

This bill would, once the system is enhanced to accept data on pupil attendance, authorize a local educational agency to submit the specified data to the system at any time throughout the year that meets its needs, but would require a local educational agency

to, at a minimum, submit and certify the specified data, and other indicators identified by the department, to the system at the end of the school year or on dates to be determined by the department. The bill would authorize a local educational agency to receive reports with the specified data disaggregated as provided. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(3) This bill would also make conforming and nonsubstantive changes.

(4) 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.

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

SECTION 1. Section 60901 of the Education Code is amended to read:

60901. (a) Subject to available state, federal, or private funding provided for this purpose, the department, in consultation with the Department of Finance and the Legislative Analyst's Office, shall enhance the California Longitudinal Pupil Achievement Data System established pursuant to Section 60900 to include data on pupil attendance, as described in subdivision (b). The enhancement shall include all of the following:

(1) The addition of fields to facilitate the transfer of data.

(2) System development activities including any business rules and definitions that would be needed to improve the quality and consistency of the data.

(3) Processes for the transfer of data from local educational agencies.

(4) Consultation with organizations representing school, school district, and county office of education administrators, classified and certified staff, and parents in order to develop the criteria and frequency of reports on pupil attendance data and other indicators as may be submitted by local educational agencies.

(b) The system shall support local educational agencies in their efforts to identify and support pupils at risk of dropping out and shall be capable of issuing to local educational agencies periodic reports that include, but may not be limited to, district, school, and individual pupil reports for pupils in kindergarten and grades 1 to 12, inclusive, regarding:

- (1) Rates of absence.
- (2) Rates of chronic absenteeism and the number of chronic absentees.
- (3) Rates of truancy and the number of truants, as defined in Section 48260.
- (4) Rates of habitual truancy and the number of habitual truants, as defined in Section 48262.
- (5) Rates of chronic truancy and the number of chronic truants, as defined in Section 48263.6.

(c) (1) For purposes of this section, subdivision (d) of Section 52060, and subdivision (d) of Section 52066, “chronic absentee” means a pupil who is absent on 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

(2) For purposes of this section, “rates of absence” means the following, to be calculated as of the date that a local educational agency submits the reports required pursuant to subdivision (e), with respect to each individualized pupil record:

- (A) The number of schooldays enrolled.
- (B) The number of schooldays on which the pupil had an unexcused absence of more than 30 minutes but less than a full day.
- (C) The number of schooldays on which the pupil had a full day of unexcused absence.
- (D) The number of schooldays on which the pupil had a full day of excused absence.
- (E) The number of schooldays on which the pupil was absent for a full day due to being suspended pursuant to Article 1 (commencing with Section 48900) of Chapter 6 of Part 27, excluding the number of days on which the pupil was assigned to a supervised suspension classroom pursuant to Section 48911.1. The number of schooldays on which a pupil was absent due to

being suspended shall not be considered an excused or unexcused absence pursuant to this subdivision. The sum of the number of days absent pursuant to this subparagraph and subparagraphs (C) and (D) shall equal the total unduplicated number of schooldays on which the pupil had a full day of absence.

(F) Data to determine whether the pupil has been designated a habitual truant, as defined in Section 48262.

(3) Once available, the data listed in subdivision (b) shall be incorporated into the annual report on dropouts required pursuant to Section 48070.6 and the annual report on elementary school truancy and chronic absenteeism, if that report has been established.

(d) It is the intent of the Legislature to support the development and use of early warning systems to enable local school districts and schools to identify individual pupils who are at risk of academic failure or dropping out of school. It is the intent of the Legislature that school districts and schools will fully utilize these early warning systems to improve the provision of intervention, prevention, communication, and education services to pupils and their families rather than to punish pupils or families. It is further the intent of the Legislature that this section shall not encourage additional referrals to law enforcement, complaints, petitions, prosecutions, or other serious sanctions against pupils, without first exhausting available resources. The systems shall encompass the following characteristics:

(1) The utilization of highly predictive indicators, including attendance, course grades or completion, performance on assessments of pupil achievement, suspensions, and expulsions.

(2) A thorough validation process to ensure the predictive reliability of the systems.

(3) Periodic reports that inform principals, teachers, and parents in a manner that enables timely identification and support of individual pupils who are at risk of academic failure or dropping out.

(e) (1) Once the system established pursuant to Section 60900 is enhanced to accept data on pupil attendance, a local educational agency may submit the data specified in paragraph (2) of subdivision (c) to the system at any time throughout the year that meets its needs, but a local educational agency shall, at a minimum, submit and certify the data specified in paragraph (2) of subdivision (c), and other indicators as identified by the department, to the

system at the end of the school year or on dates to be determined by the department. The report shall include the numbers and rates specified in subdivision (b).

(2) A local educational agency may receive reports that reflect the numbers and rates specified in subdivision (b). A local educational agency shall be able to view the submitted data in a format disaggregated by subgroups, including race or ethnicity, gender, disability status, English learner status, foster youth status, and free or reduced-price meal status.

(f) The implementation of the amendments made to this section during the 2013–14 Regular Session shall not subject the department to a loss of funding pursuant to the conditions specified in Provision 18 of Item 6110-001-0890 of the 2014 Budget Act.

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

Approved _____, 2014

Governor