

**Introduced by Senator Mitchell**  
(Coauthor: Assembly Member Jones-Sawyer)

February 24, 2015

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An act to add Section 51224.7 to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 359, as introduced, Mitchell. Fair Mathematics and Academic Placement Act of 2015.

(1) Existing law establishes a system of public elementary and secondary education in this state, and authorizes local educational agencies throughout the state to provide instruction to pupils.

This bill would enact the Fair Mathematics and Academic Placement Act of 2015. The bill would express findings and declarations of the Legislature relating to the importance of pupil achievement in mathematics. The bill would require the Superintendent of Public Instruction to develop and establish a fair, objective, and transparent statewide mathematics and academic placement policy with specified elements and would require school districts to implement that policy. To the extent that the bill would impose new duties on school districts, it would constitute a state-mandated local program.

(2) 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.

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

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

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

3 (a) Pupil achievement in mathematics is important to prepare  
4 pupils for college and their future careers, especially those careers  
5 in the STEM fields of science, technology, engineering, and  
6 mathematics.

7 (b) A pupil’s 9th grade math course placement is a crucial  
8 crossroads for his or her future educational success. Misplacement  
9 in the sequence of mathematics courses creates a number of  
10 barriers, and results in pupils being less competitive for college  
11 admissions.

12 (c) The most egregious examples of mathematics misplacement  
13 often occur with successful pupils and, disproportionately, with  
14 successful pupils of color. Often, these successful pupils of  
15 underrepresented populations are achieving grades of “B” or better,  
16 or are testing at proficient or even advanced proficiency levels on  
17 state assessments, but are nevertheless held back to repeat 8th  
18 grade mathematics coursework rather than advancing to the next  
19 course in the recommended mathematics course sequence.

20 SEC. 2. Section 51224.7 is added to the Education Code, to  
21 read:

22 51224.7. (a) This act shall be known, and may be cited, as the  
23 Fair Mathematics and Academic Placement Act of 2015.

24 (b) The Superintendent shall develop and establish a fair,  
25 objective, and transparent statewide mathematics and academic  
26 placement policy that shall include at least all of the following  
27 elements:

28 (1) Systematically take multiple objective measures into  
29 consideration, such as diagnostic placement tests, statewide  
30 assessments, pupil grades, and pupil work.

31 (2) Include multiple progress checkpoints through the academic  
32 year to permit the reevaluation of pupil progress.

33 (3) Require periodic examination of pupil placement data to  
34 ensure that there is no disproportionate impact in the course

1 placement of pupils by race, ethnicity, or socioeconomic  
2 background.

3 (4) Be readily available to pupils and parents, and offer clear  
4 recourse for pupils and parents who question placement decisions.

5 (c) School districts shall implement the statewide mathematics  
6 and academic placement policy established by the Superintendent  
7 pursuant to subdivision (a).

8 SEC. 3. If the Commission on State Mandates determines that  
9 this act contains costs mandated by the state, reimbursement to  
10 local agencies and school districts for those costs shall be made  
11 pursuant to Part 7 (commencing with Section 17500) of Division  
12 4 of Title 2 of the Government Code.