

AMENDED IN ASSEMBLY APRIL 26, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 2860

Introduced by Assembly Member Pavley

February 20, 2004

An act to amend Sections 60607 and 60641 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 2860, as amended, Pavley. Pupil assessment.

Existing law, the Leroy F. Greene California Assessment of Academic Achievement Act, provides a system of individual assessment of pupils. The existing act establishes, among other things, the Standardized Testing and Reporting (STAR) Program and requires each school district, charter school, and county office of education to administer to each of its pupils in grades 2 to 11, inclusive, an achievement test and a standards-based achievement test. Existing law, commencing on July 1, 2004, will instead require the achievement test to be administered to pupils in grades 3 and 8, and the standards-aligned achievement test to be administered to pupils in grades 2 to 11, inclusive. Existing law repeals those provisions on January 1, 2005.

This bill would state the intent of the Legislature to enact legislation that would improve that program and the pupil assessment data that it yields, as specified, and that would provide pupils enrolled in high school with ~~early indicia of the need for remedial coursework and encourage those pupils to complete that coursework before beginning postsecondary education.~~ *their readiness for postsecondary English and mathematics at the end of grade 11.*



Existing law provides that a pupil shall have an individual record of accomplishment that includes the results of achievement tests, end-of-course exams, and whatever vocational education certification exams the pupil chose to take, and prohibits the record of accomplishment from being released to any person other than the parent or guardian of the pupil, or a teacher, counselor, or administrator, directly involved with the pupil, without the express written consent of the parent or guardian of the pupil if the pupil is a minor, or the pupil, if the pupil has reached the age of majority or is emancipated. Existing law also prohibits individual results of achievement tests from being released without the permission of the parent or guardian of the pupil.

This bill would permit the release of the record of accomplishment, and the results of achievement tests, upon the express written consent of the pupil, and the permission of the pupil, respectively.

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

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

- 1 SECTION 1. (a) It is the intent of the Legislature ~~to enact~~
- 2 ~~legislation~~ to do all of the following:
- 3 (a) ~~Increase the validity of statewide pupil assessment data.~~
- 4 ~~(b)~~
- 5 (1) Reduce the need for additional pupil assessment and
- 6 redundant college placement exams where valid alternatives
- 7 already exist within the Standardized Testing and Reporting
- 8 (STAR) Program.
- 9 ~~(c) Improve the data used to assess effective educational~~
- 10 ~~strategies and school performance.~~
- 11 ~~(d)~~
- 12 (2) Encourage the University of California, California State
- 13 University, and California Community Colleges to utilize STAR
- 14 pupil assessment data for course placement decisions.
- 15 ~~(e)~~
- 16 (3) Provide high school pupils with an early indicator of the
- 17 ~~need for remedial coursework and encourage high school pupils~~
- 18 ~~to complete such requirements prior to entering college. their~~
- 19 ~~readiness for college-level English and mathematics at the end of~~



1 *grade 11, allowing high schools to work with pupils in grade 12 to*
2 *elevate skills to a level expected of a first-time college freshman.*

3 *(b) The Superintendent of Public Instruction and the State*
4 *Board of Education are authorized and encouraged to assist*
5 *California institutions of higher education to utilize the California*
6 *Standards Tests for course credit, placement, or admission*
7 *purposes.*

8 *SEC. 2. Section 60607 of the Education Code is amended to*
9 *read:*

10 60607. (a) Each pupil shall have an individual record of
11 accomplishment by the end of grade 12 that includes the results of
12 the achievement test required and administered annually as part of
13 the standardized testing and reporting program established
14 pursuant to Article 4 (commencing with Section 60640), results of
15 end-of-course exams he or she has taken, and ~~whatever the~~
16 vocational education certification exams he or she chose to take.

17 (b) It is the intent of the Legislature that school districts and
18 schools use the results of the academic achievement tests
19 administered annually as part of the statewide pupil assessment
20 program to provide support to pupils and parents or guardians in
21 order to assist pupils in strengthening their development as
22 learners, and thereby to improve their academic achievement and
23 performance in subsequent assessments.

24 (c) Any pupil results or record of ~~achievement~~ *accomplishment*
25 shall be private, and may not be released to any person, other than
26 the pupil's parent or guardian and a teacher, counselor, or
27 administrator directly involved with the pupil, without the express
28 written consent of *either* the parent or guardian of the pupil if the
29 pupil is a minor, or the pupil ~~if the pupil has reached the age of~~
30 ~~majority or is emancipated~~ *regardless of his or her age.*

31 *SEC. 3. Section 60641 of the Education Code is amended to*
32 *read:*

33 60641. (a) ~~The State Department of Education~~ *department*
34 shall ensure that school districts comply with each of the following
35 requirements:

36 (1) The achievement test designated pursuant to Section 60642
37 and the standards-based achievement test provided for in Section
38 60642.5 are scheduled to be administered to all pupils during the
39 period prescribed in subdivision (b) of Section 60640.



1 (2) The individual results of each pupil test administered
2 pursuant to Section 60640 shall be reported, in writing, to the
3 pupil's parent or guardian. The written report shall include a clear
4 explanation of the purpose of the test, the pupil's score, and its
5 intended use by the school district. ~~Nothing in this~~ *This* subdivision
6 ~~shall be construed to~~ *does not* require teachers or other school
7 *district personnel* to prepare individualized explanations of each
8 pupil's test score.

9 (3) The individual results of each pupil test administered
10 pursuant to Section 60640 shall also be reported to the pupil's
11 school and teachers. The school district shall include the pupil's
12 test results in his or her pupil records. However, except as provided
13 in this section, individual pupil test results may only be released
14 with the permission of *either* the pupil's parent or guardian *if the*
15 *pupil is a minor, or the pupil regardless of his or her age.*

16 (4) The districtwide, school-level, and grade-level results of
17 the STAR Program in each of the grades designated pursuant to
18 Section 60640, but not the score or relative position of any
19 individually ascertainable pupil, shall be reported to the governing
20 board of the school district at a regularly scheduled meeting, and
21 the countywide, school-level, and grade-level results for classes
22 and programs under the jurisdiction of the county office of
23 education shall be similarly reported to the county board of
24 education at a regularly scheduled meeting.

25 (b) The publisher designated pursuant to Section 60642 and the
26 publisher of the standards-based achievement tests provided for in
27 Section 60642.5 shall make the individual pupil, grade, school,
28 school district, and state results available to the ~~State Department~~
29 ~~of Education~~ *department* pursuant to paragraph (9) of subdivision
30 (a) of Section 60643 by August 8 of each year in which the
31 achievement test is administered for those schools for which the
32 last day of test administration, including makeup days, is on or
33 before June 25. The ~~State Department of Education~~ *department*
34 shall make the grade, school, school district, and state results
35 available on the Internet by August 15 of each year in which the
36 achievement test is administered for those schools for which the
37 last day of test administration, including makeup days, is on or
38 before June 25.

39 (c) The department shall take all reasonable steps to ensure that
40 the results of the test for all pupils who take the test by June 25 are



1 made available on the Internet by August 15, as set forth in
2 subdivision (b).

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