

Changes in Law 2018: Assessment and Accountability



As the State Board of Education (SBE) and California Department of Education (CDE) continue to develop and build-out the state's assessment and accountability system, Legislators have mostly held off legislating in these areas, leaving a relatively light load of bills signed into law - with no bills signed into law across the two-year legislative session affecting the state's assessment system.

Alternative Grade 11 Assessment Bill Vetoed. The most prominent debate in 2017-18 regarding changes to the state's K-12 assessment system was embodied in AB 1951 (O'Donnell), a bill that would have allowed Local Education Agencies (LEAs) to administer an alternative nationally recognized assessment in lieu of the Smarter Balanced Summative Assessment in Grade 11. Currently, federal and state law require assessments in English Language Arts and mathematics (including an alternative for students deemed necessary through their IEP) in Grades 3-8 and 11.

The proposed change was heavily backed by school districts and sponsored by the California School Boards Association (CSBA) with input from Long Beach Unified School District. The bill was opposed by the State Superintendent, California Teachers Association (CTA), Children NOW, and Disability Rights California over concerns the bill lacked accommodations/ protections for English Learners and students with exceptional needs, and would also jeopardize the validity of the state's assessment. Governor Brown sided with opponents stating the following in his veto message:

"Since 2010, California has eliminated standardized testing in grades 9 and 10 and the high school exit exam. While I applaud the author's efforts to improve student access to college and reduce "testing fatigue" in grade 11, I am not convinced that replacing the state's high school assessment with the Scholastic Aptitude Test or American College Test achieves that goal."

"Our K-12 system and our public universities are now discussing the possible future use of California's grade 11 state assessment for college admission purposes. This is a better approach to improving access to college for under-represented students and reducing "testing fatigue"."

We expect this debate to return in 2019, as Assembly Member O'Donnell is expect to run similar legislation again and try his hand with a new Administration.

Diploma and Course Work Considerations Expanded for Migrant Students. In 2018, California lawmakers further insulated children and young adults from the negative impacts of migration and deportation. This legislative theme has been palpable since the election of Donald Trump as President of the United States, whose administration has targeted immigrants. California lawmakers and Governor Brown have publicly opposed those federal actions and policies by passing state laws to better protect and assist immigrants and their children attending schools in California.

This year, the Legislature passed and the Governor signed, AB 2121 (Caballero), which extends to students who are migratory children, and to students participating in a newcomer program, certain rights regarding exemptions from local graduation requirements and acceptance of partial credit that are currently afforded to other groups of highly mobile students. It also extends the applicability of those provisions to charter schools.

They also enacted AB 3022 (Gonzalez-Fletcher), which allows schools to retroactively grant a high school diploma to a person who has departed California against his or her will, and was enrolled in grade 12 but did not receive a high school diploma because his or her education was interrupted due to the departure.

The Governor signed the following assessment and accountability bills in 2018:

Accountability

AB 1661 (Limón) - School accountability: federal compliance with accountability requirements.

This bill conforms state law to the federal Every Student Succeeds Act (ESSA), as it relates to family engagement and foster youth transportation programs by requiring, commencing with the 2017–18 school year, the state to identify schools for comprehensive support and improvement pursuant to specified accountability system requirements, including family engagement programs; as well as requiring LEAs to develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when it is in the best interest of the foster youth.

Chapter 669, Statutes of 2018

AB 2878 (Chávez) - Local control and accountability plans: annual goals: state priorities: family engagement.

This measure adds family engagement to the parental involvement state priority and specifies that family engagement may include, but need not be limited to, efforts by the school district and each individual school site make to apply research-based practices, as well as treating families as partners to inform, influence, and create practices and programs.

Chapter 826, Statutes of 2018

Graduation Requirements

AB 2121 (Caballero) - Pupil instruction: coursework and graduation requirements: migratory children and newly arrived immigrant pupils.

This bill extends to students who are migratory children and to students participating in a newcomer program certain rights regarding exemptions from local graduation requirements and acceptance of partial credit that are currently afforded to other groups of highly mobile students, and extends the applicability of those provisions to charter schools.

Chapter 581, Statutes of 2018

AB 3022 (Gonzalez Fletcher) - Retroactive grant of high school diplomas: departed and departed pupils.

This bill authorizes schools to retroactively grant a high school diploma to a person who has departed California against his or her will, and was enrolled in grade 12 but did not receive a high school diploma because his or her education was interrupted due to the departure.

Chapter 772, Statutes of 2018

Capitol Advisors Group has produced a series of comprehensive client briefs detailing new education laws that were passed by the Legislature and signed into law by Governor Brown in 2018. Each brief is organized by subject area and includes an executive summary highlighting major changes we think you should know about. Bills signed by the Governor take effect on January 1, 2019, unless the bill specifically states otherwise.