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# SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair  
2015 - 2016 Regular

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**Bill No:** SB 359  
**Author:** Mitchell  
**Version:** April 6, 2015  
**Urgency:** No  
**Consultant:** Lynn Lorber  
**Hearing Date:** April 15, 2015  
**Fiscal:** Yes

**Subject:** California Mathematics Placement Act of 2015

## SUMMARY

This bill requires each local educational agency serving grades 8 or 9 to develop and implement a fair, objective, and transparent mathematics placement policy.

## BACKGROUND

Current law:

1. Requires students to successfully complete two courses in mathematics as a condition of graduation from high school. (Education Code § 51225.3)
2. Requires that one of those courses, or “a combination of the two courses” required for graduation meet or exceed the rigor of the 1997 content standards for Algebra 1. (EC § 51224.5)
3. Established the Academic Content Standards Commission for the purpose of developing the California Common Core Standards in English language arts and mathematics, and required the State Board of Education to reject or adopt those standards by August 2, 2010. (EC § 60605.8)

## ANALYSIS

This bill requires each local educational agency serving grades 8 or 9 to develop and implement a fair, objective, and transparent mathematics placement policy. Specifically, this bill:

1. Establishes the California Mathematics Placement Act.
2. Requires each local educational agency (LEA) serving grade 8 or grade 9, or both, to develop and implement a fair, objective, and transparent statewide mathematics placement policy that does all of the following:
  - A. Systematically takes current academic objective measures into consideration, such as statewide assessments, student grades, and diagnostic placement tests.

- B. Includes multiple progress checkpoints throughout the academic year to permit reevaluation of individual student progress, including at least one checkpoint within the first three months of the academic year.
  - C. Requires examination of student placement data, at least annually, to ensure that there is no disproportionate impact in the course placement of students by race, ethnicity, or socioeconomic background.
  - D. Requires the local educational agency (LEA) to report the aggregate results of this examination to the LEA's governing board and prominently post the examination results on the LEA's website. This report may be included as part of the LEA's accountability report of its local control and accountability plan.
  - E. Offers clear and immediate recourse for each student and his or her parent who questions the student's placement.
3. Requires each LEA to ensure that its mathematics placement policy is available to each student and parent, and is posted prominently on the LEA's website.
  4. Defines "local educational agency" as a county office of education, school district, state special school, or direct-funded charter school.
  5. States legislative findings and declarations relative to mathematics misplacement.

## STAFF COMMENTS

1. ***Need for the bill.*** According to the author, "Math misplacement occurs when 9<sup>th</sup> grade students are held back to repeat their 8<sup>th</sup> grade math course despite achieving a "B" grade or better, or testing at proficient or advanced on state assessments instead of being placed in the next course in the recommended math sequence as a freshman in high school. Most universities, including the California State University and the University of California, require at least three years of math for college eligibility and prefer students who have taken high-level math courses such as Calculus or Advanced Placement Statistics. Failing to take high level math classes in high school can have significant ramifications on the student's future economic success."
2. ***How do schools currently determine math placement?*** Current law is silent with regard to mathematics placement policies or practices. According to Appendix A of the 2013 Mathematics Framework, which was adopted by the State Board of Education on November 6, 2013:

*Most districts typically rely on teacher recommendations and course grades to determine course placement (Bitter and O'Day 2010, p. 6), with standardized mathematics test scores, student/parent preferences, and counselor recommendations also factoring into the decision (Hallinan 2003). Teacher and counselor placement*

*recommendations include subjective judgments about “students’ personalities, behavior and motivation” in addition to test score performance.*

<http://www.cde.ca.gov/ci/ma/cf/documents/aug2013apxacourseplace.pdf>

3. **Why include grade 8?** This bill requires each local educational agency (LEA) serving grades 8 or 9 to develop and implement a mathematics placement policy. This bill includes grade 8 because many students take Algebra I in grade 7, or earlier, and are affected by placement decisions in grade 8. This bill sunshines math placement practices by requiring LEAs to have a policy with specific elements, ensuring schools consistently use objective measurements, apply the practice uniformly, and make students and parents aware of the placement policies. This bill does not require the policies of LEAs to accept completion of Algebra I in middle school as satisfying high school graduation requirements. Students who successfully complete Algebra I in grade 8 and are not required to take Algebra I in high school would still be required to complete two mathematics courses while in high school.
4. **Clarifying and technical amendments.**
  - A. Specifically require the governing board of an LEA to adopt the policy in a regularly scheduled public meeting.
  - B. On page 3, line 23, strike “statewide.”
  - C. On page 3, at the end of line 36, insert “gender.”
5. **Related and prior legislation.**

#### *RELATED LEGISLATION*

AB 220 (Holden, 2015) allows the course Mathematics 1 to satisfy a mathematics graduation requirement. States that a student who completes a course in Algebra 1 or Mathematics 1 before 9<sup>th</sup> grade is exempt from the above requirement but not from the requirement to take two math courses in grades 9 to 12. AB 220 is pending in the Assembly Appropriations Committee.

AB 770 (Irwin, 2015) establishes a grant program, and as a condition of receiving a grant, requires the governing board of a community college district to demonstrate in its application that the community colleges will among other things:

- A. Adopt placement tests and related policies that include multiple measures of student performance, including grades in high school courses and input from counselors.
- B. Increase the placement of students directly in gateway English and mathematics courses and career pathways supplemented by remediation.

AB 770 is scheduled to be heard by the Assembly Higher Education Committee on April 21.

*PRIOR LEGISLATION*

SR 60 (Mitchell, 2014) asks local school boards to develop, adopt, and monitor a fair, objective, and transparent mathematics placement policy.

**SUPPORT**

Bayer  
California School Boards Association  
California State Conference of the National Association for the Advancement of Colored People  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
Public Advocates  
Silicon Valley Community Foundation

**OPPOSITION**

None received.

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