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ABSTRACT

This looseleaf publication updates an earlier report. Some of the pages contain new laws enacted since the first report was completed. The report provides tables showing the status of accountability legislation as of the fall of 1972 and texts of the actual bills or laws in a State-by-State format. The facets of accountability that the laws cover are (1) State testing or assessment programs; (2) evaluation of professional employees; (3) performance contracting; (4) planning, programing, and budgeting systems; (5) management information systems; and (6) uniform accounting systems. Related documents are ED 069 048-050 and EA 005 081. (JF)

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ED 078513

**LEGISLATION BY THE STATES:
ACCOUNTABILITY AND ASSESSMENT IN EDUCATION**

U.S. DEPARTMENT OF HEALTH,
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State Educational Accountability Repository
S E A R

Cooperative Accountability Project
Denver, Colorado
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State of Wisconsin \ DEPARTMENT OF PUBLIC INSTRUCTION

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April, 1973

The first publication from the State Educational Accountability Repository (SEAR) was published in the Fall of 1972, Legislation By The States: Accountability and Assessment in Education.

This report is an updated version of that earlier publication. Some of the pages contain new laws enacted in the past year or laws that were not in the possession of SEAR at the time the first report was completed. There also are a few corrections and the two tables have been revised.

It is suggested that you keep this report in a looseleaf notebook because it will be updated again for an expected November, 1973 printing. You will receive updated pages and instructions for inserting them in your looseleaf copy at that time.

Phyllis Hawthorne

STATE EDUCATIONAL ACCOUNTABILITY REPOSITORY (SEAR)

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| Wisconsin | 50.0 |
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TABLE I
STATUS OF ACCOUNTABILITY LEGISLATION, FALL 1972

| State | Legislation Enacted | Legislation may be introduced in 1973 | None enacted as of Fall, 1972 |
|----------------------|---------------------|---------------------------------------|-------------------------------|
| Alabama | | | X |
| Alaska | X | | |
| Arizona | X | | |
| Arkansas | | | X |
| California | X | | |
| Colorado | X | | |
| Connecticut | X | X | |
| Delaware | | | X |
| District of Columbia | | | X |
| Florida | X | | |
| Georgia | | X | X |
| Hawaii | X | | |
| Idaho | | | X |
| Illinois | X | X | |
| Indiana | X | X | |
| Iowa | | | X |
| Kansas | | X | X |
| Kentucky | | | X |
| Louisiana | | | X |
| Maine | | | X |
| Maryland | X | X | |
| Massachusetts | X | X | |
| Michigan | X | | |
| Minnesota | | X | X |
| Mississippi | | | X |
| Missouri | | | X |
| Montana | | | X |
| Nebraska | X | | |
| Nevada | | X | X |
| New Hampshire | | | X |
| New Jersey | X | | |
| New Mexico | X | | |
| New York | | X | X |
| North Carolina | | X | X |
| North Dakota | | | X |
| Ohio | X | | |
| Oklahoma | | X | X |
| Oregon | X | X | |
| Pennsylvania | X | | |
| Rhode Island | X | X | |
| South Carolina | | | X |
| South Dakota | X | | |
| Tennessee | | | X |
| Texas | | X | X |
| Utah | | | X |
| Vermont | | | X |
| Virginia | X | | |
| Washington | X | | |
| West Virginia | | | X |
| Wisconsin | X | | |
| Wyoming | | X | X |
| TOTAL | 23 | 16 | 28 |

TABLE II
GENERAL OVERVIEW OF LEGISLATIVE ACTS¹

| State and Law | Management Methods | | | State Testing or Assessment Program | Evaluation of Professional Employees | Performance Contracting |
|-------------------------------|--------------------|-----|------------------------|-------------------------------------|--------------------------------------|-------------------------|
| | PPBS | MIS | Uniform Acct'g. System | | | |
| ALASKA | | | | | | |
| Ch. 188, 1970 | X | | | | | |
| ARIZONA | | | | | | |
| Article 2.1, 1969 | | | | X | | |
| S. B. 1294, 1972 | | | X | X | | |
| CALIFORNIA ² | | | | | | |
| Miller-Unruh Act, 1965 | | | | X | | |
| School Testing Act of 1969 | | | | X | | |
| A. B. 665, 1971 | | | | X | | |
| Ch. 1573, 1967 | X | | | | | |
| A. B. 2800, 1971 ³ | X | | | | | |
| A. B. 293, 1971 | | | | | X | |
| A. B. 1483, 1971 | | | | | | X |
| COLORADO | | | | | | |
| Article 41, 1971 | | | | X | | |
| Article 42, 1971 | X | | | | | |

¹ The 1967 Senate Resolutions for the States of Maine and Hawaii have been omitted from this table. Also omitted are Connecticut's Public Acts 382, 383, 52, 326, and 430, all of which call for an evaluation of specific educational programs.

² Not included in this table are A.B. 606, A.B. 1923, and A.B. 2999. These laws are explained and quoted in the text for California.

³ This law reorganized the system of educational advisory bodies in California and established 6 Commissions in their place. The Education Management and Evaluation Commission informs and advises the State Board of Education on PPBS for school districts, methods of program evaluation, and assessment of cost effectiveness of educational programs. Neither Ch. 1573 nor A.B. 2800 mandated a PPBS for California. They established committees to study the area and make recommendations to the State Board only.

TABLE II (cont.)

| State and Law | Management Methods | | | State Testing or Assessment Program | Evaluation of Professional Employees | Performance Contracting |
|-------------------------------|--------------------|-----|------------------------|-------------------------------------|--------------------------------------|-------------------------|
| | PPBS | MIS | Uniform Acct'g. System | | | |
| CONNECTICUT | | | | | | |
| P.A. 665, 1971 | | | | X | | |
| H.B. 5371, 1972 ³ | | | | | | |
| P.A. 204, 1972 | | | | | X | |
| FLORIDA | | | | | | |
| S.B. 656, 1970 | | | | X | | |
| H.B. 894, 1971 | | | | X | | |
| Ch. 231, s.231.29 | | | | | X | |
| HAWAII | | | | | | |
| Act 185, 1970 | X | | | | | |
| ILLINOIS | | | | | | |
| S.B. 1548, 1972 | X | | | | | |
| INDIANA | | | | | | |
| P.L. 309, 1971 | X | | | | | |
| MARYLAND | | | | | | |
| S.B. 166, 1972 | | | | X | | |
| MASSACHUSETTS | | | | | | |
| Willis-Harrington Act of 1965 | | | | X | | |
| MICHIGAN | | | | | | |
| H.B. 3886, 1970 | | | | X | | |
| NEBRASKA | | | | | | |
| L.B. 959, 1969 | | X | X | X | | |

³ This law established a Legislative Program Review Committee to review programs of all state agencies, including the Department of Education. It does not properly fit into this table, but should be noted in the event that future legislation follows it.

TABLE II (cont.)

| State and Law | Management Methods | | | State Testing or Assessment Program | Evaluation of Professional Employees | Performance Contracting |
|-------------------------------|--------------------|-----|------------------------|-------------------------------------|--------------------------------------|-------------------------|
| | PPBS | MIS | Uniform Acct'g. System | | | |
| NEW JERSEY | | | | | | |
| S.B. 2233, 1971 | | | | | X | |
| NEW MEXICO | | | | | | |
| Ch. 16, s. 59, 1967 | | | X | | | |
| OHIO | | | | | | |
| H.B. 475, 1972 | X | | | | | |
| OREGON | | | | | | |
| S.B. 131, 1971 | | | | | X | |
| PENNSYLVANIA | | | | | | |
| Reorganization Act of 1963 | | | | X | | |
| RHODE ISLAND | | | | | | |
| Ch. 16-22, 1963 | | | | X | | |
| Ch. 49, s. 16, 1969 | | X | X | X | | |
| SOUTH DAKOTA | | | | | | |
| Ch. 127, 1969-'71 | | | | | X | |
| VIRGINIA | | | | | | |
| S.2, Article 8 & H. 845, 1972 | | | | X | X | |
| WASHINGTON | | | | | | |
| 28A, 1969 | | | | | X | |
| WISCONSIN | | | | | | |
| Ch. 125, 1971 | | | | X | | |
| TOTAL BILLS ⁴ | 8 | 2 | 4 | 18 | 8 | 1 |

⁴ Legislation for Arizona, Nebraska, Rhode Island, and Virginia contains more than one component of accountability in the same bill. California has two PPBS bills, both of which established commissions to develop and recommend a PPBS to the State Board of Education.

ALASKA

Alaska's Act is related to the executive budget and mandates a PPBS for all state agencies.

CHAPTER NO 35, EXECUTIVE BUDGET ACT (Enacted June 11, 1976)

AN ACT TO PROVIDE FOR A COMPREHENSIVE SYSTEM FOR STATE PROGRAM BUDGETING AND FINANCIAL MANAGEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Be it enacted by the Legislature of The State of Alaska:

Section 1. AS 37 is amended by adding a new chapter to read:

Sec. 37.35.010. Statement of Policy. It is the purpose of this chapter to establish a comprehensive system for state program and financial management which furthers the capacity of the governor and legislature to plan and finance the services which they determine the state will provide for its citizens. The system shall include procedures for

(1) the orderly establishment, continuing review and periodic revision of the program and financial goals and policies of the state;

(2) the development, coordination and review of long-range program and financial plans that will implement established state goals and policies;

(3) the preparation, coordination and analysis, and enactment of a budget organized to focus on state services and their costs, that authorizes the implementation of policies and plans in the succeeding budget period;

(4) the evaluation of alternatives to existing policies, plans and procedures that offer potential for more efficient state services;

(5) the regular appraisal and reporting of program performance.

Sec. 37.35.020. Responsibilities Of The Governor. The governor shall direct the preparation and administration of the state budget. He shall evaluate the long-range program plans, requested budgets and alternatives to state agency policies and programs, and formulate, and recommend for consideration by the legislature, a proposed comprehensive program and financial plan which shall cover all estimated receipts and expenditures of the state government, including all grants, loans, and money received from the federal government. Proposed expenditures may not exceed estimated receipts and surpluses.

Sec. 37.35.030. Responsibilities Of The Legislature. The legislature shall

(1) provide for a budget review function;

(2) analyze the comprehensive program and financial plan recommended by the governor;

(3) adopt legislation to authorize implementation of the governor's comprehensive program and financial plan or appropriate alternatives to that plan;

(4) provide for a post-audit function, to cover financial

transactions, program accomplishment and compliance with legislative intent.

Sec. 37.35.040. Division Of Budget And Management. The budget and management division shall

(1) assist the governor in the preparation and explanation of the proposed comprehensive program and financial plan, including the coordination and analysis of state agency program goals and objectives, program plans and program budget requests;

(2) develop procedures to produce the information needed for effective policy decision-making;

(3) assist state agencies in their statement of goals and objectives, preparation of program plans, program budget requests and reporting of program performance;

(4) administer its responsibilities under the program execution provisions of this chapter so that the policy decisions and budget determinations of the governor and the legislature are implemented;

(5) provide the Legislative Affairs Agency with the budget information it may request.

Sec. 37.35.050. Agency Program And Financial Plans. (a) Each state agency on the date and in the form and content prescribed by the division, shall prepare and forward to the division and the Legislative Affairs Agency

(1) the goals and objectives of the agency programs, together with proposed supplements, deletions and revisions;

(2) its proposed plans to implement the goals and objectives, including estimates of future service needs, planned methods of administration, proposed modification of existing program services and establishment of new program services, and the estimated resources needed to carry out the proposed plan;

(3) the budget requested to carry out its proposed plans in the succeeding fiscal year, including information reflecting the expenditures during the last fiscal year, those authorized for the current fiscal year, those proposed for the succeeding fiscal year, an explanation of the services to be provided, the need for the services, the cost of the services, and any other information requested by the division;

(4) a report of the receipts during the last fiscal year, an estimate of the receipts during the current fiscal year, and an estimate for the succeeding fiscal year;

(5) a statement of legislation required to implement the proposed programs and financial plans;

(6) an evaluation of the advantages and disadvantages of specific alternatives to existing or proposed program policies or administrative methods.

(b) The state agency proposals prepared under (a) of this section shall describe the relationships of their program services to those of other agencies, of other governments, and of nongovernmental bodies.

(c) The division shall assist agencies in the preparation of their proposals under (a) of this section. This assistance may include technical assistance, organization of materials,

centrally collected accounting, budgeting and personnel information, standards and guidelines formulation, population and other required data, and any other assistance that will help the state agencies produce the information necessary for efficient agency management and effective decision-making by the governor and the legislature.

(d) If any state agency fails to transmit the program and financial information provided under (a) of this section on the specified date, the division may prepare such information.

(e) The division shall compile and submit to the governor-elect in any year when a new governor has been elected, not later than November 20, a summary of the program and financial information prepared by state agencies.

Sec. 37.35.060. Governor's Recommendation. (a) The governor shall formulate the program and financial plan to be recommended to the legislature after considering the state agency proposed program and financial plans, and other programs and alternatives that he considers appropriate. The plan shall include his recommended goals and policies, recommended plans to implement the goals and policies, recommended budget for the succeeding fiscal year, and recommended revenue measures to support the budget.

(b) The governor shall present the proposed comprehensive program and financial plan in a message to a joint session of the legislature before the fourth legislative day following the convening of the legislature in regular session. The message shall be accompanied by an explanatory report which summarizes recommended goals, plans, and appropriations. The report shall contain

(1) the coordinated program goals and objectives which the governor recommends to guide the decisions on the proposed program plans and budget appropriations.

(2) his program and budget recommendations for the succeeding fiscal year;

(3) a summary of state receipts in the last fiscal year, a revised estimate for the current fiscal year, and an estimate for the succeeding fiscal year;

(4) a summary of expenditures during the last fiscal year, those authorized for the current fiscal year, and those recommended by the governor for the succeeding fiscal year; and

(5) any additional information which will facilitate understanding of the governor's proposed program and financial plan by the legislature and the public.

(c) The governor, at the time of his presentation of the proposed comprehensive program and financial plan in the message to the joint session of the legislature under (b) of this section, shall also submit a general appropriation bill to authorize the proposed expenditures, and a bill or bills covering recommendations in the budget for new or additional revenues.

Sec. 37.35.070. Legislative Review. The legislature shall consider the governor's proposed comprehensive program and financial plan, evaluate alternatives to the plan, make program selections among the various alternatives and determine, subject to available revenues, the level of

funding required to support authorized state services.

Sec. 37.35.080. Program Execution. (a) Except as limited by policy decisions of the governor, appropriations by the legislature, and other provisions of law, the several state agencies shall have full authority for administering their program service assignments and shall be responsible for their proper management.

(b) Each state agency shall prepare an annual plan for the operation of each of its assigned programs except for programs that are exempted from this requirement by the division. The operations plan shall be prepared in the form and content and be transmitted on the date prescribed by the division.

(c) The division shall

(1) review each operations plan to determine that it is consistent with the policy decisions of the governor and appropriations by the legislature, that it reflects proper planning and efficient management methods, that appropriations have been made for the planned purpose and will not be exhausted before the end of the fiscal year;

(2) approve the operations plan if satisfied that it meets the requirements under (1) of this subsection, otherwise, the division shall require revision of the operations plan in whole or in part;

(3) modify or withhold the planned expenditures at any time during the appropriation period if the division finds that such expenditures are greater than those necessary to execute the program at the level authorized by the governor and the legislature, or that the receipts and surpluses will be insufficient to meet the authorized expenditure levels.

(d) No state agency may increase the salaries of its employees, employ additional employees, or expend money or incur obligations except in accordance with law and properly approved operations plan.

(e) Appropriation transfers or changes as between objects of expenditures or activity areas within a program may be made by the head of a state agency upon approval of the division. Appropriation transfers or changes between programs within an agency may be made upon review by the division and approval of the governor, and shall be reported to the legislature quarterly. No transfers may be made between agencies.

(f) The division shall report quarterly to the governor and the legislature on the operations of each state agency, relating actual accomplishments to those planned, and modifying, if necessary, the operations plan of any agency for the balance of the fiscal year.

Sec. 37.35.090. Performance Reporting. (a) Each state agency shall submit a performance report to the division on or before September 1 for the preceding fiscal year. These reports shall be in the form prescribed by the division after consultation with the Legislative Affairs Agency, and shall include statements concerning

(1) the work accomplished and the services provided in the preceding fiscal year or other meaningful work period, relating actual accomplishments to those planned under sec. 80(b) of this chapter;

(2) the relationship of accomplishments and services to the policy decisions and budget determinations of the

governor and the legislature;

(3) the costs of accomplishing the work and providing the services, and, to the extent feasible, citing meaningful measures of program effectiveness and cost;

(4) the administrative improvements made in the preceding year, potential improvements in future years, and suggested changes in legislation or administrative procedures to make further improvements.

(b) The division shall summarize the performance reports and forward copies to each member of the legislature.

Sec. 37.35.100. Proposed Supplemental Or Deficiency Appropriations. The governor from time to time may transmit to the legislature such proposed supplemental or deficiency appropriations as in his judgment are necessary on account of laws enacted after the transmission of the budget, or are otherwise in the public interest. He shall accompany such proposals with a statement of the reasons therefor, including the reasons for their omission from the budget.

Sec. 37.35.110. Interpretation Of Chapter. This chapter shall be construed as supplemental to all other state laws not in conflict with it. If a section or part of a section of this chapter is in conflict with federal requirements for a program for which federal grant-in-aid funds are available, the section or part, to the extent of the conflict, is

inoperative.

Sec. 37.35.120. Definitions. In this chapter

(1) "agency" means a department, officer, institution, board, commission, bureau, division, or other administrative unit forming the state government and includes the Alaska Pioneers Home, but does not include the legislature or the judiciary;

(2) "division" means the division of budget and management, Department of Administration;

(3) "fiscal year" means a year beginning on July 1 of one calendar year and ending on June 30 of the following calendar year.

Sec. 37.35.130. Short Title. This Act may be cited as the Executive Budget Act.

Sec. 2. AS 37.05.290. is amended to read:

Sec. 37.05.290. Purpose. The purpose of this chapter is to provide uniform financial procedures for all state agencies with respect to accounting, purchasing, post auditing, and related financial procedures; and to revise financial procedures to obtain economy, efficiency, and integrity in handling public money.

Sec. 3. The following laws are repealed: AS 37.05.060-37.05.120.

Sec. 4. This Act takes effect July 1, 1970.

ARIZONA

The Arizona State Legislature passed an Act in 1969 which required an annual standardized statewide reading achievement test for grade 3 pupils. The general intent was to see whether third-grade children in the state were reading as well as third-grade children nationally. Testing can be required of higher grades, and sampling has started for grade 8, according to the State Department of Education.

Following the copy of the 1969 Act is the amended part of Section 15-102 of Chapter 168 (Senate Bill No. 1294). The amendment was enacted May 22, 1972 and requires the State Board of Education to implement an evaluation system of pupil achievement in relation to measurable performance objectives.

ARTICLE 2.1. READING ACHIEVEMENT TESTS

S. 15-1131. Testing pupils in third grade

Beginning with the school year commencing July 1, 1970, a standardized reading achievement test which shall be adopted by the state board of education shall be given annually in the last week of January to all third grade pupils who are completing the third grade. The state board of education shall promulgate rules and regulations governing the methods for the administration of all such uniform tests. Added Laws 1969, Ch. 59.

S. 15-1132. Testing pupils in grades higher than the third

The superintendent may require the pupils in grades higher than the third to take uniform tests of a nature similar to that required by this article for third grade pupils. Added Laws 1969, Ch. 59.

S. 15-1133. Acceptable tests

Any test employed shall be uniform throughout the state. The tests shall be adopted for use by the state board of education, and shall be printed or purchased and distributed to the various school districts by the office of the state superintendent. Added Laws 1969, Ch. 59.

S. 15-1134. Test results

The results of any uniform tests administered to pupils under this article shall be reported to the state board of education. The results shall include the score of each individual pupil, the score of each classroom, the score of

each school and such other information or comparative data as the state board of education may by regulation require. A copy of such results shall be retained in the office of the state superintendent. The state superintendent, by utilizing experts in the field of test evaluation, shall actually assess the effectiveness of reading programs. An annual report shall be submitted to the state board of education, to the legislature, each district board of education in the state and all superintendents. The state board of education shall annually make recommendations to the legislature with respect to such test results and analysis which will enhance the quality of the reading program in the public schools. Added Laws 1969, Ch. 59.

S. 15-1135. Exemption

Pupils who have been determined to be mentally retarded, or excused from attending regular classes in a public school as prescribed by the title, shall be exempt from the testing requirement prescribed by the article. Added Laws 1969, Ch. 59.

CHAPTER 168 SENATE BILL 1294

AN ACT RELATING TO EDUCATION: ESTABLISHING A PROGRAM FOR BASIC SCHOOL PROGRAM EVALUATION AND AMENDING SECTION 15-102, ARIZONA REVISED STATUTES.

Be it enacted by the Legislature of the State of Arizona . . .

The state board of education shall: . . .

23. Prescribe, in consultation with the auditor general, a uniform system of records and accounting.

24. By June 30, 1975, in cooperation with all local school districts, develop, establish, and direct the implementation of a continuous uniform evaluation system of pupil achievements in relation to measurable performance objectives in basic subjects. The board shall assist in the development of alternate learning procedures to help pupils attain their individual learning expectancy levels based on intelligence factors, achievement factors and teacher evaluation. Basic subjects shall be defined for these purposes as reading, writing, and computation skills.

CALIFORNIA

The California State Legislature passed two Acts which required statewide testing programs, the California School Testing Program in 1961, with amendments enacted in several sessions thereafter, and the Miller-Unruh Basic Reading Act of 1965, with amendments passed in subsequent sessions. Abstracts of the two Acts are presented in this report along with quoted passages from the two laws. Legislation has been introduced in the 1972 session which will modify the state testing program. A PPBS system also is being considered. These bills are pending and are not included in this report.

A third bill was enacted in July 1971, Assembly Bill No. 293, known as the "Stull" bill. This bill added sections to Chapter 2 of the Education Code for the evaluation and assessment of performance of certificated employees. These sections are quoted directly from the bill in this report. In order to implement the bill, the California Department of Education established a set of guidelines for school districts to use in developing procedures for evaluating certificated personnel. These guidelines were published in 1972. An Appendix to the guidelines states that the requirements of Assembly Bill 293 may well have significant financial impact on school districts. Each district, therefore, is requested to maintain an accounting of the personnel man-hours and other costs involved in developing, implementing, and maintaining the evaluation system. If the legislation should involve substantial new costs to school districts, the California State Board of Education wants to provide the Legislature with this information in order to promote the concept that future legislation should provide for the financial implications the bill may entail.

A SHORT HISTORY OF STATEWIDE TESTING PROGRAMS IN CALIFORNIA

California has two required statewide programs for testing pupils in the public schools. They are the California School Testing Program and the testing required under the Miller-Unruh Basic Reading Act of 1965. All school districts in the state are required to administer specified tests and report the scores to the State Department of Education and to their local school boards. Under the Miller-Unruh testing program the state supplies the required tests to school districts, and under the State Testing Program, school districts purchase the tests directly from publishers. No separate state funding for scoring or reporting test results is provided to school districts for either program.

1. California School Testing Program (Chap. 9 of Div. 9 of the Education Code)

The California School Testing Program began with a law passed at the 1961 session of the Legislature, and the first required testing was done in the fall of 1962 with intelligence and achievement tests that school districts

selected from a list approved by the State Board of Education. Tests were administered in grades 5, 8, and 11.

The California School Testing Law was amended in 1963 and required the administration of physical performance tests, in addition to the intelligence and academic achievement tests. In 1965 the law was amended to require that uniform tests for all school districts be adopted by the State Board of Education. The Board designated intelligence and reading tests for use in grades 6 and 10. The first tests under the 1965 amendments were administered in the fall of 1966. They were the Lorge-Thorndike Intelligence Tests in grades 6 and 10, the Stanford Reading Test in grade 6, and the Tests of Academic Progress, Reading Test, in grade 10.

At the 1968 session of the Legislature, the testing program was amended by AB 1168 (Stats. 1968 Chap. 427). The law required testing with intelligence tests, basic skills tests (defined as reading, spelling, basic mathematics and grammar), and physical performance tests. The law also specified that tests were to be administered in grades 6 or 8, and 12. In addition to testing in the basic skills, testing also was to be required by the State Board of Education from time to time in content courses-- literature, history, advanced mathematics, and science. The requirement for testing in either grade 6 or 8 was amended out of the law at the 1969 session of the Legislature by AB 1534 (Chap. 1552), and testing is now required of all pupils in grades 6 and 12.

The tests adopted for use in the 1969-70 school year are the Lorge-Thorndike Intelligence Tests in grades 6 and 12, the Comprehensive Tests of Basic Skills in grade 6, the Iowa Tests of Educational Development in grade 12, and the California Physical Performance Test in grades 6 and 12. Intelligence tests are administered during the months of October and November, achievement tests during the month of October and physical performance tests during April and May.

2. Miller-Unruh Basic Reading Act Testing (Chap. 5.8 of Div. 6 of the Education Code)

By legislation enacted in 1965, a testing program in reading in grades 1, 2, and 3 was required in connection with a program to improve reading instruction in the primary grades. This was the Miller-Unruh Basic Reading Act of 1965. Tests adopted by the State Board of Education were the Stanford Reading Tests, and these tests were used from 1966 through 1969. In 1969 the State Board of Education adopted new tests for use in the primary grades beginning in the 1969-70 school year. The Stanford Reading Tests will be phased out and the Cooperative Primary Reading Test will be the required test.

Testing in the primary grades is done the first 10 school days in May. Test results are reported to the State Department of Education, and one of the uses made of the required testing is in the system of priorities for funding under the Miller-Unruh Basic Reading Act. Also, test results are used for evaluation of reading programs on both the district and state levels.

CHAPTER 9. SCHOOL TESTING

Article 1. General Provisions

12820. This chapter may be cited as the California School Testing Act of 1969.

12821. The objectives of this chapter are:

(a) To afford a means and procedure for evaluating the effectiveness of the public schools as shown by the competence and progress of public school pupils in basic skills and content courses

(b) To make such evaluations available to educational agencies and the public as a basis for the correction of deficiencies in, and the improvement of, all phases of the state educational system and as a basis for research.

(c) To afford to the Legislature facts from which it may determine the proper allocation and expenditure of public funds for public school education.

12822. As used in this chapter:

(a) "Achievement test" means any standardized test which measures or attempts to measure the level of performance which a pupil has attained in one or more courses of study. It shall include (1) tests in basic skills courses administered annually and (2) tests in content courses administered from time to time as designated by the State Board of Education.

(b) "Physical performance test" means any test which measures or attempts to measure the physical fitness of a pupil.

(c) "Scholastic aptitude test" means any standardized test which measures or attempts to measure the scholastic aptitude of a pupil.

(d) "Testing program" means the systematic achievement, physical performance, and scholastic aptitude testing required by this chapter of all pupils in grades 6 and 12 in all schools within a school district by means of tests designated by the State Board of Education.

(e) "Basic skills courses" means those subjects which involve, among other skills, memorization and mastery of specific functions, including but not limited to, reading, spelling, basic mathematics, and grammar.

(f) "Content courses" means those subjects which require the integration of factual matter, logical analysis, the solution by the student of posed problems, and the communication of ideas, including, but not limited to, literature, history, advanced mathematics, and science.

12823. The State Board of Education shall:

(a) Require a testing program in all school districts.

(b) Designate the achievement, scholastic aptitude, and physical performance tests to be used during the ensuing school year.

(c) Adopt regulations for the conduct and administration of the testing program.

12824. The State Board of Education may develop, publish and administer tests of its own devising, and the board may utilize the expert services of any persons or groups of persons in public or private employment.

12825. The governing board of each district shall, in accordance with the rules and regulations of the State Board of Education, conduct a testing program within the district. The governing board may also administer other

tests.

12826. The governing board of a school district shall report to the Department of Education, pursuant to rules and regulations adopted by the State Board of Education, the scores of the achievement and scholastic aptitude tests administered pursuant to this article.

The districtwide results of the testing program, but not the score or relative position of individual pupils, shall be reported to the governing board of the district at least once a year at a regularly scheduled meeting.

12827. Upon request of the Department of Education, a school district shall submit to the department at least once every two years the results of its physical performance testing.

12828. At the request of the State Board of Education, and in accordance with rules and regulations which the board may adopt, each county superintendent of schools shall cooperate with and give assistance to school districts under his jurisdiction in carrying out the testing programs of such districts and other duties imposed on school districts by this chapter.

12829. With the exception of physical performance tests, no city, county, city and county, or district superintendent of schools or any principal or teacher of any elementary or secondary school under his charge shall carry on any program of specific preparation of the pupils within the district for the testing program as such or the particular test used therein.

12830. No provision of this chapter or Article 3 (commencing with Section 8571) of Chapter 3 of Division 7 shall be construed to mean, or represented to require, that graduation from a high school or promotion to another grade level is in any way dependent upon successful performance on any test administered as a part of the testing program.

Article 2. Content Course Evaluation

12840. From time to time, as the State Board of Education may determine, the board shall conduct studies of the effectiveness of the various content courses offered by the public schools of this state. Such studies shall include details of the specific objectives of the courses and the level of achievement attained by students enrolled in such courses and, for this purpose, the board may use the results of any test administered under the provisions of this chapter.

12841. Upon the completion of a study by the board pursuant to Section 12840, the board shall report its finding, and recommendations, if any, to the Governor and the Legislature not later than January 1 of the year succeeding completion of the study.

12842. In making reports to the Legislature pursuant to Section 12841, the board shall maintain the anonymity of all individual students involved, as well as the participating school districts. The board may make analyses involving other factors, including, but not limited to, general categories of pedagogies in use, type of district organization, geographic area, socioeconomic data, size of school district, or other analytical items which may prove useful.

12843. The governing board of any school district shall

cooperate fully with the State Board of Education in making its schools available for studies, provided, that the State Board of Education shall provide all necessary materials and consultant services free of charge to the district.

12844. The State Board of Education may accept federal or other funds for the purpose of financing studies under this article. Such studies shall be conducted by the board on an ad hoc basis, and the board may utilize the expert services of any persons or groups of persons in public or private employment.

Article 3. Testing Evaluation and Analysis

12848. The Department of Education shall prepare and submit an annual report to the Legislature, the State Board of Education and to each school district in the state containing an analysis, on a district-by-district basis, of the results and test scores of the testing program in basic skills courses, including tests administered pursuant to the Miller-Unruh Basic Reading Act of 1965. The report shall include, but is not limited to, an analysis of the following operational factors having a substantive relationship to or bearing on such results:

- (a) Maximum and minimum salary paid teachers.
- (b) Average class size in grades 1 to 3, inclusive.
- (c) Pupil-teacher ratio in grades 4 to 8, inclusive.
- (d) Number of nonteaching certificated personnel per 100 full-time teachers.
- (e) Total general fund tax rate and total general purpose tax rate.
- (f) Assessed valuation per unit of average daily attendance.
- (g) Percentage of minority enrollment.
- (h) Index of family poverty, derived from dividing funds received under Title I of the Elementary and Secondary Education Act of 1965 (Public Law 89-10) by the average daily attendance in the district.
- (i) Average scholastic ability.
- (j) Average transitory factors as derived from dividing the average daily attendance of the district or selected schools by the total annual enrollment of the district.
- (k) The rate of turnover of staff.

12849. The State Board of Education shall make recommendation to the Legislature as the board deems appropriate concerning appropriate or necessary legislation with respect to the results of the testing program and the evaluation and analysis thereof required by this chapter.

CHAPTER 5.8. SPECIAL ELEMENTARY SCHOOL READING INSTRUCTION PROGRAM

Article 1. General Provisions

Citation of Act

5770. This chapter may be cited as the Miller-Unruh Basic Reading Act of 1965 (added by Stats. 1968, Ch. 182).

Statement of Legislative Intent and Purpose

5771. It is the intent and purpose of the Legislature that the elementary school reading instruction program provided

for by this chapter shall be directed to the prevention of reading disabilities, and the correction of reading disabilities at the earliest possible time in the educational career of the pupil. The instruction program shall be provided in grades 1, 2, and 3 in the elementary schools.

It is the further intent of the Legislature that the reading program in the public schools be of high quality, and that the program be designed to permit early development of reading skills, and the early correction of reading disabilities. The Legislature recognizes that early development of reading ability enhances the opportunity of each pupil for success in school and for success in a career upon leaving school. The Legislature further recognizes that to achieve its intent and purpose it will be necessary to provide means to employ teachers trained in the teaching of reading, to provide incentives to encourage such training, and to stimulate the establishment and maintenance of school libraries. To carry out its intent and purpose, the Legislature has enacted this chapter to provide salary payments for specialist teachers in reading, scholarships to encourage the development of skills in the teaching of reading, and salary payments for the employment of professional librarians in school districts. It is also the intent of the Legislature that the provisions of this chapter shall be administered to provide funds and services first to those school districts and to the schools in such districts where the need for reading instruction is greatest and the financial ability of the district to provide it is least. This program is voluntary and any school district may participate or may decline to participate. If a district participates, it shall participate fully with respect to those schools in the district in which the program is established. . . .

Article 3. Testing and Program Evaluation

Testing of Pupils Completing the First and Second Grades; Nationwide Norms; Exemptions; Use of Test

5779. Commencing with the school years 1965-66, the State Board of Education shall require that uniform tests to determine achievement of basic reading fundamentals and skills shall be administered to all pupils who are completing the first and second grades. The State Board of Education shall adopt rules and regulations governing the time, place and methods for administration of the testing program.

The State Board of Education shall determine the form in which the results of uniform tests under this article shall be reported to the Department of Education, and beginning with the tests administered in the 1968-69 school year to second and third grade pupils, shall require, in addition to reports presently required for purposes of Section 5782, and as based on publishers' norms, that such reports include a distribution, based on first grade test results, of the number of months of progress achieved for each year the pupils have been in school.

Uniform tests for each grade shall be recommended by the Department of Education and shall be submitted to the State Board of Education for approval and adoption no later than January 31, 1966. Any test so adopted shall be in national use and nationwide norms shall have been developed for such test. The tests which have been approved

and adopted by the board shall be printed or purchased, and distributed to the various school districts in the state by the Department of Education.

Pupils who have been determined to be mentally retarded or educationally handicapped, as defined in this code, shall be exempted from the testing requirement imposed by this chapter.

The testing program imposed by this chapter shall be used exclusively for the purposes herein set forth, and no test scores or results shall be employed to rank school districts according to their test results in any publication, other than a publication which may be made necessary in order to effectively administer this chapter.

The tests administered pursuant to this article shall be employed to determine each school district's quota of specialist reading teachers, as required by Article 4 (commencing with Section 5781) of this chapter.

(Added by Stats. 1968, Ch. 182; amended by Stats. 1968, Ch. 995.)

Testing in Initial Teaching Alphabet

5779.1. The governing board of each school district, in conducting a testing program in the district pursuant to Section 5779 shall be allowed to conduct achievement reading tests at school district expense printed in the Initial Teaching Alphabet for those pupils who are accustomed to learning in that alphabet in lieu of the uniform tests prescribed by Section 5779.

Achievement Test to 3rd-Grade Pupils; Evaluation of Program; Report to Legislature.

5780. Commencing with the school year 1966-67, and in each year thereafter, a standardized reading achievement test, which shall be adopted by the State Board of Education and distributed to the various school districts, shall be administered to all third-grade pupils completing the third grade.

The scores of those pupils who have participated in a remedial program shall be maintained and treated separately.

From a study of the results of these tests in districts which conduct a basic reading program pursuant to this chapter, and the test results in districts which do not conduct such a program, the Superintendent of Public Instruction shall evaluate the basic reading program provided by this chapter, and he shall report his findings annually to the State Board of Education.

The State Board of Education shall report its findings regarding the implementation of, and experience under, the basic reading program provided by this chapter, together with any recommendations for any adjustments in the program to the Legislature at each regular session.

ASSEMBLY BILL NO. 293 (Enacted July, 1971)

CHAPTER 361

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

5.3

Article 5.5. Evaluation and Assessment of Performance of Certificated Employees

13485. It is the intent of the Legislature to establish a uniform system of evaluation and assessment of the performance of certificated personnel within each school district of the state. The system shall involve the development and adoption by each school district of objective evaluation and assessment guidelines.

13486. In the development and adoption of these guidelines and procedures, the governing board shall avail itself of the advice of the certificated instructional personnel in the district's organization of certificated personnel.

13487. The governing board of each school district shall develop and adopt specific evaluation and assessment guidelines which shall include but shall not necessarily be limited in content to the following elements:

(a) The establishment of standards of expected student progress in each area of study and of techniques for the assessment of that progress.

(b) Assessment of certificated personnel competence as it relates to the established standards.

(c) Assessment of other duties normally required to be performed by certificated employees as an adjunct to their regular assignments.

(d) The establishment of procedures and techniques for ascertaining that the certificated employee is maintaining proper control and is preserving a suitable learning environment.

13488. Evaluation and assessment made pursuant to this article shall be reduced to writing and a copy thereof shall be transmitted to the certificated employee not later than 60 days before the end of each school year in which the evaluation takes place. The certificated employee shall have the right to initiate a written reaction or response to the evaluation. Such response shall become a permanent attachment to the employee's personnel file. Before the end of the school year, a meeting shall be held between the certificated personnel and the evaluator to discuss the evaluation.

13489. Evaluation and assessment of the performance of each certificated employee shall be made on a continuing basis, at least once each school year for probationary personnel, and at least every other year for personnel with permanent status. The evaluation shall include recommendations, if necessary, as to areas of improvement in the performance of the employee. In the event an employee is not performing his duties in a satisfactory manner according to the standards prescribed by the governing board, the employing authority shall notify the employee in writing of such fact and describe such unsatisfactory performance. The employing authority shall thereafter confer with the employee making specific recommendations as to areas of improvement in the employee's performance and endeavor to assist him in such performance. . . .

SEC. 41. Sections 1 to 39 of this act shall become operative on the 61st day after the final adjournment of the 1972 Regular Session of the Legislature.

ASSEMBLY BILL 665

Legislative Counsel's Digest

AB 665, Leroy F. Greene. School testing program.

Requires uniform tests to be administered to each pupil not later than his third month of attendance in the first grade and requires uniform tests in reading to be administered annually to pupils in grades 2 and 3.

Requires answer sheets on first grade entry level test, results of uniform test in reading in grades 2 and 3, and results of achievement tests in grades 6 and 12 to be submitted on a school-by-school basis.

Prohibits use of scores of individual pupils on first grade entry level test for individual diagnosis or placement or as a basis for any other decision which would affect pupil's elementary school experience. Prohibits inclusion of such test scores on pupil's cumulative school record.

Requires State Board of Education to determine which test scores on tests administered in grades 2, 3, 6, and 12 may be recorded on pupil's cumulative school record.

Requires each school district to annually report its methods used to assess pupil performance in reading during grades 1, 2, and 3.

Requires standardized reading achievement test to be administered to all third grade pupils, rather than third grade pupils completing the third grade.

Authorizes State Board of Education to replace grade specifications re prescribed tests with time or age specifications.

Requires State Board of Education to develop a testing method, to be implemented by 1974-1975 school year, to obtain an accurate estimate of statewide performance, school district performance, and school performance of pupils in grades 2, 3, 6, and 12.

States intent of Legislature re California School Testing Act of 1969.

Requires State Board of Education to prepare examples of, rather than model, minimum academic standards for graduation from high school. Specifies that State Board of Education is not authorized or required to adopt statewide minimum academic standards for graduation from high school.

Deletes provisions re scholastic aptitude tests in grades 6 and 12.

Revises elements to be covered in annual report prepared and submitted by Department of Education re specified tests.

Appropriates \$235,000 for development of baseline test to be given to all pupils in grade one and for research and analysis, scoring, and purchase and distribution of test materials under prescribed testing programs.

Makes related changes.

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

SECTION 1. Section 5779 of the Education Code is amended to read:

5779. The State Board of Education shall require that uniform tests be administered to each pupil not later than

his third month of attendance in the first grade. The first grade entry level test shall obtain a composite estimate for each pupil of skills related to learning and memory, attention, visual perception, and auditory comprehension. The answer sheets shall be transmitted to the Department of Education for scoring. If no published test is deemed suitable, the State Board of Education may combine parts of available tests or develop a new test.

The State Board of Education shall also require that uniform tests in reading be administered annually to pupils in grades 2 and 3. Such tests shall be recommended by the Department of Education and shall be submitted to the State Board of Education for approval and adoption. Any test so adopted shall be in national use and nationwide norms shall have been developed for such tests. The tests which have been approved and adopted by the board shall be printed or purchased and distributed to the various school districts in the state by the Department of Education.

The State Board of Education shall determine the form in which the answer sheets for the first grade entry level test shall be transmitted to the Department of Education for scoring, and the form in which the results of the uniform tests in reading for grades 2 and 3 shall be reported to the Department of Education.

The State Board of Education shall analyze the progress achieved by third grade pupils using the first grade entry level test results as a basis for identifying comparable pupils receiving various kinds of reading instruction.

The State Board of Education shall adopt rules and regulations governing the time, place, and methods for administration of the testing program under this article.

Pupils who have been determined to be mentally retarded, as defined in this code, shall be exempted from the testing requirement imposed by this chapter.

Pupils who have been determined to be educationally handicapped, as defined in this code, shall be subject to the testing requirement imposed by this chapter, except such pupils shall be tested separately from regular pupils and the test scores or results with respect to such pupils shall be submitted separately. The Department of Education shall annually prepare a comparative analysis of the scores or results of tests administered to educationally handicapped pupils and regular pupils. The Department of Education shall annually report to the Legislature the scores or results of the tests administered to educationally handicapped pupils.

The tests administered pursuant to this article shall be employed to determine each school district's quota of specialist reading teachers, as required by Article 4 (commencing with Section 5781) of this chapter.

Commencing with tests administered in the 1972-1973 school year, school districts shall submit answer sheets and test score information on a per-school basis.

SEC. 2. Section 5779.1 of the Education Code is repealed.

SEC. 3. Section 5779.2 is added to the Education Code, to read:

5779.2. Scores for individual pupils on the first grade entry level test shall not be used by school districts or

teachers for individual diagnosis of placement or as a basis for any other decisions which would affect the pupil's elementary school experience. Scores from this test shall not in any manner be included on the pupil's cumulative school record.

The State Board of Education shall determine which, if any, of the scores attained by pupils on the tests administered in grades 2 and 3 may be recorded on the pupil's cumulative school record.

SEC. 4. Section 5779.3 is added to the Education Code, to read:

5779.3. The State Board of Education shall direct each school district to report annually its methods used to assess pupil performance in reading during grades 1, 2, and 3. The Department of Education shall assist the school districts to improve their local programs of assessing pupil performance in reading.

SEC. 5. Section 5780 of the Education Code is amended to read:

5780. Commencing with the school year 1966-67, and in each year thereafter, a standardized reading achievement test, which shall be adopted by the State Board of Education and distributed to the various school districts, shall be administered to all third-grade pupils.

The scores of those pupils who have participated in a remedial program shall be maintained and treated separately.

From the study of the results of these tests in districts which conduct a basic reading program pursuant to this chapter, and the test results in districts which do not conduct such a program, the Superintendent of Public Instruction shall evaluate basic reading programs, and he shall report his findings annually to the State Board of Education.

The State Board of Education shall report its findings regarding the implementation of, and experience under, basic reading programs, together with any recommendations for any adjustments in the program, to the Legislature at each regular session. This report and the report required pursuant to Section 12848 may be consolidated into a single annual report.

SEC. 6. Section 5780.1 is added to the Education Code, to read:

5780.1. Except for the first-grade entry level test required by Section 5779, the State Board of Education may replace the grade specification for the administration of specific tests pursuant to this article with a specification of age or time elapsed since the pupil entered school where such a specification is more consistent with patterns of school organization.

The Department of Education shall submit a report to the Joint Legislative Budget Committee explaining the reasons for replacing the grade specification. The report shall be submitted at least six months prior to any such change.

SEC. 7. Section 5780.2 is added to the Education Code, to read:

5.5

5780.2. The State Board of Education shall develop a testing method that will obtain an accurate estimate of statewide performance, school district performance, and school performance of pupils in grades 2 and 3.

Under such a testing method, the Department of Education shall annually administer a statewide test to all pupils in grades 2 and 3. The department shall determine whether pupils in a given school shall be administered the entire test or whether the pupils shall be administered a portion of the test which will be representative of all the test objectives, goals, or categories of items on the entire test.

The procedure required by this section shall be implemented not later than the 1974-1975 school year.

SEC. 8. Section 5782 of the Education Code is amended to read:

5782. For the 1967-68 school year and school years thereafter, for any school district in which thirty percent (30%) or more of the first grade pupils received scores falling below the first quartile of scores established on a statewide basis for the tests administered during the preceding school year pursuant to Section 5779, the basic quota established pursuant to Section 5781 shall be increased by one specialist teacher for each 300 units of average daily attendance in grades 1, 2, and 3, and fractional part thereof, maintained by the district.

For the 1967-68 school year and school years thereafter any school district in which forty percent (40%) or more of the first grade pupils received scores falling below the first quartile of scores established on a statewide basis for the tests administered during the preceding school year pursuant to Section 5779, the basic quota established pursuant to Section 5781 shall be increased as ordered by the Department of Education following an investigation of the circumstances of the district.

SEC. 9. Section 5787 of the Education Code is amended to read:

5787. Specialist teachers employed by a school district shall be relieved of all regular teaching and administrative responsibilities and shall devote their full time in performance of the following responsibilities, which shall be directed to training pupils to attain reading ability essential to success in studies to be undertaken beyond the grade 3 level:

(a) Supplementing the reading instruction otherwise provided in regular classes for all pupils in grade 1.

(b) Providing instruction to small groups of pupils, and to individual pupils, in grades 2 and 3 who have been determined to have reading disabilities.

(c) Administering reading tests to be given pupils in grades 2 and 3 under Article 3 (commencing with Section 5779) of this chapter.

SEC. 10. Section 5792 of the Education Code is amended to read:

5792. Allowances under this article shall be made by the Superintendent of Public Instruction in accordance with a system of priorities that he shall by rule and regulation

adopt, designed to carry out the intent and purpose of the legislature stated in Section 5771.

The system shall be designed to give priority to districts in the following order:

(a) First, to insure that the districts participating in the program during the preceding school year, which continue to be eligible, will not be required to reduce programs below the level of the preceding year.

(b) Second, to insure that applications for expansion of programs and applications for new programs in eligible schools be considered on a priority basis in terms of the percentage of pupils in grade 1 who received scores which fell below the first quartile of scores established on a statewide basis for the tests administered during the preceding school year pursuant to Section 5779

Allowances computed for a district that received only basic aid in the preceding fiscal year shall be reduced by one-half.

The Superintendent of Public Instruction shall make no allowances in any year in excess of the amount appropriated by the Legislature for the purposes of this chapter.

SEC. 11. Section 8574 of the Education Code is amended to read:

8574. The governing board of any school district maintaining a high school shall adopt minimum academic standards for graduation from the high schools within its school district. Such minimum academic standards shall include separate courses of study including, but not limited to, a course of study designed to prepare prospective students for admission to state colleges and the state university and for vocational training. Such standards shall be made available to the public.

SEC. 12. Section 8575 of the Education Code is amended to read:

8575. The State Board of Education shall, on or after July 1, 1970, prepare, and distribute to each school district maintaining a high school for its consideration, examples of minimum academic standards for graduation. These examples shall be provided solely to assist each school district in the development of its own minimum academic standards for graduation as required by Section 8574.

Nothing in this section shall be construed to authorize or require the State Board of Education to adopt statewide minimum academic standards for graduation from high school.

SEC. 13. Section 12821 of the Education Code is repealed.

SEC. 14. Section 12821 is added to the Education Code, to read:

12821. It is the intent of the Legislature in enacting this chapter to determine the effectiveness of school districts and schools in assisting pupils to master the fundamental educational skills toward which instruction is directed. The program of statewide testing shall provide the public, the Legislature, and school districts evaluative information regarding the various levels of proficiency achieved by

different groups of pupils of varying socioeconomic backgrounds, so that the Legislature and individual school districts may allocate educational resources in a manner to assure the maximum educational opportunity for all pupils. The program of statewide testing shall identify unusual success or failure and the factors which appear to be responsible, so that appropriate action may be taken at the district and state level to obtain the highest quality education for all public school pupils

SEC. 15. Section 12822 of the Education Code is amended to read:

12822. As used in this chapter:

(a) "Achievement test" means any standardized test which measures or attempts to measure the level of performance which a pupil has attained in one or more courses of study. It shall include (1) tests in basic skills courses administered annually and (2) tests in content courses administered from time to time as designated by the State Board of Education.

(b) "Physical performance test" means any test which measures or attempts to measure the physical fitness of a pupil.

(c) "Testing program" means the systematic achievement testing of all pupils in grades 6 and 12, and the physical performance testing of all pupils in any three grades designated by the State Board of Education, required by this chapter in all schools within each school district by means of tests designated by the State Board of Education.

(d) "Basic skills courses" means those subjects which involve, among other skills, memorization and mastery of specific functions, including but not limited to, reading, spelling, basic mathematics, and effectiveness of written expression.

(e) "Content courses" means those subjects which require the integration of factual matter, logical analysis, the solution by the student of posed problems, and the communication of ideas, including, but not limited to, literature, history, advanced mathematics, and science.

SEC. 16. Section 12823 of the Education Code is amended to read: 12823. The State Board of Education shall.

(a) Require a testing program in all school districts.

(b) Designate the achievement and physical performance tests to be used during the ensuing school year.

(c) Adopt regulations for the conduct and administration of the testing program.

SEC. 17. Section 12826 of the Education Code is amended to read:

12826. The governing board of each school district shall report on a school-by-school basis to the Department of Education, pursuant to rules and regulations adopted by the State Board of Education, the results of the achievement tests administered pursuant to this article.

The districtwide results of the testing program, but not the score or relative position of individual pupils, shall be reported to the governing board of the district at least once a year at the regularly scheduled meeting.

SEC. 18. Section 12827 of the Education Code is amended to read:

12827. During either the month of March, April, or May, the governing board of each school district maintaining any grade designated by the State Board of Education pursuant to subdivision (c) of Section 12822 shall administer to each pupil in those grades the physical performance test designated by the State Board of Education. Each physically handicapped pupil and each pupil who is physically unable to take all of the physical performance test shall be given as much of the test as his condition will permit.

Upon request of the Department of Education, a school district shall submit to the department at least once every two years the results of its physical performance testing.

SEC. 19. Section 12831 is added to the Education Code, to read:

12831. The State Board of Education shall develop a testing method that will obtain an accurate estimate of statewide performance, school district performance, and school performance of pupils in grades 6 and 12.

Under such a testing method, the Department of Education shall annually administer a statewide test to all pupils in grades 6 and 12. The department shall determine whether pupils in a given school shall be administered the entire test or whether the pupils shall be administered a portion of the test which will be representative of all the test objectives, goals, or categories of items on the entire test.

The procedure required by this section shall be implemented not later than the 1974-1975 school year.

SEC. 20. Section 12832 is added to the Education Code, to read:

12832. The State Board of Education shall determine which, if any, of the results attained by pupils on the achievement tests administered in grades 6 and 12 may be recorded on the pupil's cumulative school record.

SEC. 21. Section 12833 is added to the Education Code, to read:

12833. The State Board of Education may replace the grade specification for the administration of specific tests pursuant to this article with a specification of age or time elapsed since the pupil entered school where such a specification is more consistent with patterns of school organization.

The Department of Education shall submit a report to the Joint Legislative Budget Committee explaining the reasons for replacing the grade specification. The report shall be submitted at least six months prior to any such change.

SEC. 22. Section 12842 of the Education Code is amended

to read:

12842. In making reports to the Legislature pursuant to Section 12841, the board shall maintain the anonymity of all individual students involved. The board may make analyses involving other factors, including, but not limited to, general categories of pedagogies in use, type of district organization, geographic area, socioeconomic data, size of school district, or other analytical items which may prove useful.

SEC. 23. Section 12848 of the Education Code is amended to read:

12848. The Department of Education shall prepare and submit an annual report to the Legislature, the State Board of Education, and to each school district in the state containing an analysis, on a district-by-district basis, of the results and test scores of the testing program in basic skills courses, including tests administered pursuant to the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6). The report shall include an analysis of the operational factors that appear to have a significant relationship to or bearing on the results. The analysis may include, but need not be limited to, the following factors:

- (a) Demographic characteristics.
- (b) Financial characteristics.
- (c) Pupil and parent characteristics.
- (d) Instructional and staff characteristics.
- (e) Specially funded programs.

School districts shall submit to the Department of Education whatever information the department deems necessary to carry out the provisions of this section.

SEC. 24. Section 12848.5 is added to the Education Code, to read:

12848.5 The report to the Legislature required by Section 12848 and the report to the Legislature required pursuant to Section 5780 may be consolidated into a single annual report.

SEC. 25. There is hereby appropriated from the General Fund in the State Treasury the sum of two hundred thirty-five thousand dollars (\$235,000) to the Department of Education, to be expended for purposes of the development of a baseline test to be given to all pupils in grade 1 under the provisions of Chapter 5.8 (commencing with Section 5770) of Division 6 of the Education Code and for research and analysis, scoring, and the purchase and distribution of test materials under the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6 of the Education Code) and the California School Testing Act of 1969 (Chapter 9 (commencing with Section 12820) of Division 9 of the Education Code).

A.B. No. 665, quoted above, was supported by the State Board as a vehicle for major restructuring and improvement of California's statewide testing program enacted by the earlier 1965 Miller-Urruh Act and the 1969 School Testing Act.

California has a system of educational advisory bodies created by statute or by executive order of the Governor. Members are appointed by the Governor, the Legislature, and the State Board of Education or the Superintendent of Public Instruction. A.B. 2800, enacted in 1971, reorganized this system, restructured the various existing advisory bodies, and reduced them in number in order to eliminate conflicting and overlapping duties.

Prior to the passage of A.B. 2800, Chapter 1573 was enacted in 1967 which established the Advisory Commission on School District Budgeting and Accounting. The Commission was to advise the State Board on a budgeting and accounting system for California school districts. The final report of the Advisory Commission was submitted in May, 1972, and recommended a PPBS with the development of district goals and objectives. Adoption of a statewide manual prepared by the State Board for the recommended PPBS was held up by the Legislature, in Assembly Concurrent Resolution No. 98, which asked the State Board to withhold approval of its recommendations until the Legislature had concluding hearings on the implications of the system. This the State Board has done, and to date (January, 1973), no legislation has been passed in California that mandates a statewide PPBS for California's local school system. The Advisory Commission did recommend the institution of pilot programs at the local district level; these have expanded in number and have continued to operate. The Resolution stated that nothing in it was "to restrain local governing boards from their efforts to refine methods of accounting and budget reporting."

A.B. 2800 replaced the Advisory Commission with a new Educational Management and Evaluation Commission, which is to advise the State Board in the evaluation of the program achievement of educational programs, the determination of cost effectiveness of the programs, and on a PPBS system for local school districts. This Commission, too, acts as an advisory body to the State Board of Education. The Department of Education is to cooperate with the Advisory Commission as requested and recommend any change or revision of law necessary to effectuate what the Commission recommends.

Another Advisory Committee on Program and Cost Effectiveness served from 1970 to 1972. The Committee was established to expedite A.B. No. 605, known as the "Educational Improvement Act of 1969." This Act called for the employment of cost effectiveness measures in the approval and evaluation of all projects. The Committee's charge was further defined in A.B. 1923, enacted in 1970. It was to develop and recommend a methodology for evaluating cost effectiveness for the State Board to use in

determining which projects should be expanded, modified or replaced. A plan for developing a cost effectiveness model was submitted to the State Board by the Committee that described its attempts to develop and test components of the model. Further research was needed and the reports of the Committee were distributed to members of the new Educational Management and Evaluation Commission.

Senate bill No. 1 was enacted in 1968, the intent of which was to set basic standards and guidelines for public school education throughout the state. A Joint Committee on Educational Goals and Evaluation was appointed the following year to state the aims of this plan in detail. Assembly Concurrent Resolution No. 198, 1970 states the responsibilities of this Committee. In May, 1970 the Committee sent recommendations to the Legislature stating that "the best and most workable goals for our public school education can only be set by a process involving the citizens of our state - parents and taxpayers, students and teachers, school administrators and classified employees." The Joint Committee now is in the process of developing goals and objectives, begun in the Fall of 1972, by mutually contacting the largest number of its citizens possible for their views. By June of 1973 a first draft of decisions for each school-community is expected, in the Fall of 1973, public hearings will be held to present to the citizens the goals and objectives most important to them, followed by each district putting the decisions into action.

A.B. 293, the Stull bill enacted in 1971 (already in the first publication of Legislation by the States), is the first in the nation that requests certificated teacher competence to be partially evaluated in terms of pupil progress. All local teacher evaluation systems must include standards of expected student progress in each area of study and certificated personnel are to be assessed in relation to the established standards.

A companion bill to A.B. 293 was passed in October, 1971 (A.B. 2999) that directed the State Board of Education to develop and disseminate guidelines that the districts may use in developing certificated personnel evaluation procedures. The guidelines were developed and published by the State Board in 1972. The Governor of California also appointed a Commission for Teacher Preparation and Licensing in 1971 that is independent of the State Board or Department of Education. The Commission develops standards of preparation for teachers-to-be and procedures for dismissal or revocation of certificates.

A.B. No. 1483, "The Guaranteed Learning Achievement Act of 1971," authorizes performance contracting by local school districts. It became effective in March, 1972, too late to be implemented in the 1971-'72 school year, but six districts have been selected by the State Board to participate during the 1972-'73 school year. The law is to remain in effect until June 30, 1975.

The following bills referred to in the discussion above are

repealed on the ensuing pages. Chapter 1573, Assembly Bill 2800, Assembly Bill 606, Assembly Bill No. 1923, Assembly Bill 2999, and Assembly Bill 1483.

CHAPTER 1573 (Enacted in 1967)

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

Section 1. Section 371 is added to the Education Code, to read:

371. The Department of Education shall:

(a) Revise and update budget manuals, forms and guidelines.

(b) Cooperate with federal and state agencies in prescribing rules and regulations, and instructions required by such agencies.

(c) Assess the needs and methods of collecting and disseminating financial information.

(d) Conduct workshops and conferences for the purpose of training school district and county personnel.

(e) Provide consultant services to colleges and universities on courses of instruction relative to school budgets and accounting practices.

Sec. 2. Section 372 is added to the Education Code, to read:

372. The Department of Education shall cooperate with the Commission on School District Budgeting and Accounting, and shall as directed by the commission:

(a) Prepare and compile agenda items and research materials for the commission.

(b) Prepare and direct the execution of any provisions of agreements entered into by the commission for the formulation of a program budgeting and accounting system.

(c) Organize pilot projects for testing any program budgeting and accounting system.

(d) Recommend any change or revision of law necessary to effectuate any program budgeting and accounting system.

(e) Promote any program of budgeting and accounting system through cooperative working arrangements with interested public and private agencies and associations.

(f) Coordinate the budgeting and accounting activities of interested public and private agencies and associations . . .

Sec. 7. Chapter 2 (commencing with Section 20601) is added to Division 16 of the Education Code, to read:

Chapter 2. Budget Requirements and Budget Calendar for School Districts

Article 1. Budget Requirements

20601. As used in this article, "budget" includes the preliminary budget, the tentative budget and the final budget of a school district.

20602. Each budget shall show a complete plan and itemized statement of all proposed expenditures of the school district and of all estimated revenues for the ensuing fiscal year, together with a comparison as to each item of

revenue and expenditures, with the actual revenues and expenditures for the last completed fiscal year and the actual and estimated expenditures for the existing fiscal year. The county superintendent of schools shall from his own records supply to the school district any information that the school district may need to make the comparisons required by this section.

20603. Each budget shall be itemized to set forth the necessary revenues and expenditures, by functions and object, in each fund to operate the public schools of the district, as authorized by law and on forms prescribed by the Superintendent of Public Instruction.

20604. The budget may also contain an amount to be known as the general reserve in such sum as the governing board may deem sufficient, for the next succeeding fiscal year, to meet the cash requirements to which the district's credit may be legally extended for that portion of said next succeeding fiscal year until adequate proceeds of the taxes levied for, or apportionment of state funds made to, the district during such succeeding fiscal year are available to the district.

20605. The budget may also contain an amount to be known as the undistributed reserve. The funds in the undistributed reserve shall be available for appropriation by a two-thirds vote of the members of the governing board, to cover expenditures that have not been provided for or that may have been insufficiently provided for, or for unforeseen requirements as they may arise.

20606. Each budget shall be made in quintuplicate in the form and upon the blanks prescribed by the Superintendent of Public Instruction. It shall be the duty of the Superintendent of Public Instruction to prepare standard forms and blanks necessary to show the budgeting items and comparisons required by this article. Blanks shall be furnished to the school districts by the county superintendent of schools.

Article 2. Advisory Commission on School District Budgeting and Accounting

20621. There is in the state government the Advisory Commission on School District Budgeting and Accounting. It shall be comprised of 11 members. Nine of the members shall be appointed by the State Board of Education. One of the members shall be appointed by the Speaker of the Assembly, and one member shall be appointed by the Senate Committee on Rules. Each member shall serve at the pleasure of the appointing power.

The State Board of Education shall appoint members so that all of the following groups are represented:

(a) Organized taxpayer groups or associations.

(b) Business community.

(c) Education profession.

(d) County government.

(e) Governing boards of school districts.

(f) Accounting profession.

20622. The members of the commission shall serve without compensation but shall be reimbursed for necessary traveling and other expenses incurred in performing

their duties and responsibilities.

20623. The commission shall serve as an advisory body to the State Board of Education on program budgeting and accounting systems for school districts. The commission may select and employ independent and qualified consultants to formulate the details of a program budgeting and accounting system for local school districts. The commission shall evaluate the report of the consultants and recommend to the State Board of Education procedures for implementing program budgeting and accounting for school districts. In evaluating such report, the commission may hold hearings in various parts of the state so as to give interested persons the opportunity to testify or present their view on the report, and shall submit its initial report to the State Board of Education not later than June 30, 1968.

20624. The provisions of this article, including the commission created under it, shall remain in effect until June 30, 1970. . . .

Sec. 12.5. There is hereby appropriated from the General Fund in the State Treasury to the State Department of Education the sum of forty thousand dollars (\$40,000) to carry out the purposes of Section 371 and 372 of, and Article 2 (commencing with Section 20621) of Chapter 2 of Division 16 of, the Education Code.

Sec. 13. The following sections of this act shall become operative on November 1, 1968: 6, 8, and 11. Article 1 (commencing with Section 20601) of Chapter 2 added to Division 16 of the Education Code by Section 7 of this act shall become operative on November 1, 1968. All other sections of this act shall become effective on the 61st day following the final adjournment of the 1967 Regular Session of the Legislature.

Sec. 14. This act shall be known as "The School Budget Act of 1967."

ASSEMBLY BILL NO. 2800
(Enacted October 19, 1971)

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

Section 1. Article 3 (commencing with Section 171) of Chapter 1 of Division 2 of the Education Code is repealed.

Sec. 2. Section 363 of the Education Code is repealed.

Sec. 3. Section 372 of the Education Code is amended to read:

372. The Department of Education shall cooperate with the Educational Management and Evaluation Commission and shall as requested by the commission:

(a) Prepare and compile agenda items and research materials for the commission.

(b) Prepare and direct the execution of any provisions of agreements entered into by the commission for the formulation of a program budgeting and accounting system.

(c) Organize pilot projects for testing any program budgeting and accounting system.

(d) Recommend any change or revision of law necessary to effectuate any program budgeting and accounting system.

(e) Promote any program of budgeting and accounting system through cooperative working arrangements with interested public and private agencies and associations.

(f) Coordinate the budgeting and accounting activities of interested public and private agencies and associations.

Sec. 4. Section 473 of the Education Code is amended to read:

473. In establishing, maintaining, and operating the system, the department shall:

(a) Consult and cooperate with school districts, county superintendents, advisory committees on integrated data processing, task forces for implementing the development and utilization of a statewide information system, intergovernmental boards on electronic data processing and state electronic data processing policy committees created by statute or by executive order of the Governor.

(b) Cooperate with the Educational Management and Evaluation Commission in all matters relating to program budgeting.

(c) Maintain the system by incorporating necessary or desirable changes, modifications, and improvements.

(d) Provide sufficient flexibility within the system to allow local and state educational agencies to meet all of their educational information needs.

Sec. 5. Section 476 of the Education Code is amended to read:

476. The information-processing capabilities of the system shall include, but not be limited to, the following:

(a) Provision of a statewide common data base for educational research and other uses in education.

(b) Interchange of data with other educational institutions, including colleges and universities, and other agencies concerned with information about education.

(c) Machine processing aid to decisionmaking in educational administration and the use of modern management tools.

(d) Reduction of routine clerical activities in educational agencies.

(e) Facilitation of preparation of reports required by state and federal agencies.

(f) Support of functions of the Educational Management and Evaluation Commission. . . .

Article 4. Educational Management and Evaluation Commission

584. There is in the Department of Education the Educational Management and Evaluation Commission consisting of a Member of the Assembly appointed by the Speaker of the Assembly, a Member of the Senate appointed by the Senate Committee on Rules, one public member appointed by the Speaker of the Assembly, one public member appointed by the Senate Committee on Rules, one public member appointed by the Governor, and nine public members appointed by the State Board of Education upon the recommendation of the Superintendent of Public Instruction or the members of the State Board of Education.

With respect to the nine public members appointed by

the State Board of Education, three members shall represent the field of economics, three members shall represent the learning sciences, and three members shall represent the managerial sciences.

Each public member shall serve at the pleasure of the appointing power.

584.1. The Members of the Legislature appointed to the commission pursuant to Section 584 shall have the powers and duties of a joint legislative committee on the subject of educational management and evaluation and shall meet with, and participate in, the work of the commission to the extent that such participation is not incompatible with their positions as Members of the Legislature.

The Members of the Legislature appointed to the commission shall serve at the pleasure of the appointing power.

584.2. The members of the commission shall serve without compensation, except that they shall receive their actual and necessary expenses incurred in the performance of their duties and responsibilities, including travel expenses.

584.3. The Superintendent of Public Instruction or his representative shall serve as executive secretary to the commission.

584.4. The commission shall select one of its members to be chairman of the commission.

584.5. The commission shall assist and advise the State Board of Education in the evaluation of the program achievement of educational programs, in the determination of the relative cost effectiveness of educational programs, and shall make recommendations concerning the expanded use, modification, or replacement of educational programs so as to produce a higher degree of program achievement and cost effectiveness. The commission shall also serve as an advisory body to the State Board of Education on program budgeting and accounting systems for school districts.

584.6. As used in this article, "commission" means the Educational Management and Evaluation Commission. . . .

A. B. 606 CHAPTER 784 (Enacted in 1969)

Citation

6499.200. This chapter may be cited as the Educational Improvement Act of 1969.

Legislative Intent

6499.201. It is the intent of the Legislature that the funds provided by this chapter and the funds provided through Title I and Title III of the Elementary and Secondary Education Act of 1965, the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6), and Chapter 106 of the Statutes of 1966, First Extraordinary Session, be expended in the most effective way possible, and that cost effectiveness measures be employed in the approval and evaluation of all projects. It is the further intent of the Legislature that all projects be evaluated annually as to the degree of program achievement and cost effectiveness produced, that

highly effective projects shall be expended to further use in the district where operated and in other districts, and that less effective projects be replaced with ones of proven effectiveness, or by new projects which hold promise of high effectiveness.

It is the intent of the Legislature that the effectiveness of a project be measured in terms of the objectives of the project, and that each district should be primarily concerned with the pupils' improvement in ability to read, to use and understand the English language, and to use and understand the concepts of mathematics.

The Legislature intends that each project be evaluated annually by the Department of Education to determine and identify its relative effectiveness, that such evaluation shall be assisted by an advisory committee competent to assess the effectiveness of the results of the project, and to make recommendations to the Department of Education and to the State Board of Education on projects to be expanded in use and those that should be modified or replaced to produce greater effectiveness.

Advisory Committee on Program and Cost Effectiveness

6499.203. The State Board of Education shall appoint an advisory committee on program and cost effectiveness to be composed of three public members representing the field of economics, three public members representing the learning sciences, and three public members representing the managerial sciences. The chairman of the committee shall be chosen by the members.

Duties

6499.204. The advisory committee on program and cost effectiveness shall (1) advise the Department of Education and the State Board of Education on projects to be approved, and the administration of Titles I and III of the Elementary and Secondary Education Act of 1965, the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6) and Chapter 106 of the Statutes of 1966, First Extraordinary Session, (2) assist in the evaluation of the program achievement of projects, (3) assist in the determination of the relative cost effectiveness of projects, and (4) advise on the projects which should have expanded use and those which should be modified or replaced to produce a higher degree of program achievement and cost effectiveness.

Compensation; Traveling Expenses

6499.205. Members of the committee shall serve without pay. They shall receive their actual and necessary traveling expenses while on official business.

Approval of Projects

6499.206. In approving projects under this chapter, or projects under Titles I and III of the Elementary and Secondary Education Act of 1965, the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6), and Chapter 106 of the Statutes of 1966, First Extraordinary Session, the State Board of Education shall give due consideration to the effectiveness of the project and shall not continue in

operation any project that, upon evaluation, has been shown to be of low effectiveness, and which has only a limited possibility of improved effectiveness.

Eligibility for Allowances

6499.207. From moneys provided pursuant to subdivision (h) of Section 17303.5, the Superintendent of Public Instruction shall compute an allowance for each school district which meets each of the following requirements.

(a) The district, during the preceding fiscal year, had an average daily attendance, exclusive of the average daily attendance of adults, as adults are defined by Section 5756, of 500 or more.

(b) The entitlement for the district for funds under Title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year for each unit of average daily attendance, exclusive of the average daily attendance of adults, as adults are defined by Section 5756, exceeds 150 percent of the statewide average entitlement.

For the purposes of this section, the average daily attendance of pupils in grades 7 and 8 attending a junior high school maintained by a high school district shall be credited to the high school district.

Computation of Allowances

6499.208. The allowance for each eligible district under Section 6499.207 shall be computed pursuant to the provisions of Sections 6499.209 to 6499.214, inclusive.

Entitlement of Funds; Weighting Factor

6499.209. (a) The Superintendent of Public Instruction shall compute for each eligible district the actual amount of entitlement for the district for funds under Title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year, per unit of average daily attendance, exclusive of the average daily attendance of adults, as adults are defined in Section 5756, during the preceding fiscal year.

(b) He shall determine the lowest amount per unit of average daily attendance computed for any district in the state under subdivision (a). This amount shall be assigned the weighting value of 1.00. A weighting value for each other district shall be computed by dividing the amount per unit of average daily attendance computed under subdivision (a) by the lowest amount per unit of average daily attendance computed under this subdivision.

Current Tax Rate; Weighting Factor

6499.210. (a) The Superintendent of Public Instruction shall determine the current tax rate as defined by Section 17604 for each eligible district, by type of district.

(b) He shall determine the lowest current tax rate in effect for each type of eligible district. Such lowest current tax rates shall be assigned the weighting value of 1.00 respectively.

(c) A weighting value for each other district current tax rate shall be computed by dividing the current tax rate for each district determined under subdivision (a) by the lowest current tax rate for each type of district determined under

subdivision (b).

Test Scores; Weighting Factor

6499.211. (a) The Superintendent of Public Instruction shall determine the average achievement testing scores in terms of state percentiles in elementary school districts for grades 1, 3, and 6 or 8, whichever is the last grade in the particular elementary school within the school district, in high school districts for grade 12, and in unified school districts for grades 1, 2, 6 or 8, whichever is the last grade in the particular elementary school within the school district, and 12, as measured by the 1966-1967 statewide administered achievement tests.

(b) He shall compute the reciprocal value for each district achievement test score determined in subdivision (a).

(c) He shall determine the lowest reciprocal value for achievement test scores under subdivision (b). Such lowest reciprocal value shall be assigned the weighting value of 1.00.

(d) A weighting value for achievement test scores for each other district shall be computed by dividing the reciprocal value for each district determined under subdivision (b) by the lowest reciprocal value for achievement test scores determined under subdivision (c).

Composite Weighting Factor

6499.212. The Superintendent of Public Instruction shall determine the composite weighting value for each district, by multiplying together the weighting values computed for each district pursuant to Sections 6499.209, 6499.210, and 6499.211.

Weighted Average Daily Attendance

6499.213. The Superintendent of Public Instruction shall compute for each eligible district a weighted average daily attendance by multiplying the composite weighting value for the district determined in Section 6499.212 by the number of units per average daily attendance, exclusive of the average daily attendance of adults, as adults are defined by Section 5756, of the district.

Computation of Entitlement

6499.214. The Superintendent of Public Instruction shall compute the entitlement for each district by dividing the total of the amount appropriated for the purposes of this chapter by the sum of the weighted units of average daily attendance computed for all districts under Section 6499.213, and multiplying the quotient by the weighted average daily attendance for the district.

Application for Entitlement

6499.215. The governing board of any district for which an allowance was computed under Section 6499.208 may apply to the Superintendent of Public Instruction for an apportionment of a part or all of the allowance computed for the district. The application shall contain a detailed plan or plans for the use of the allowance. The plan or plans shall be submitted in accordance with the provisions of

Article 2 (commencing with Section 6456) of Chapter 6.5 of this division. The State Board of Education may adopt rules and regulations relating to the form and content of applications and procedures for review and approval thereof.

Administration by Office of Compensatory Education

6499.216. Under the direction of the Superintendent of Public Instruction, the programs authorized by this chapter shall be administered by the Office of Compensatory Education. The Director of Compensatory Education shall insure that the programs of educational improvement maintained by eligible schools are coordinated with the district's ongoing program of compensatory education and the Miller-Unruh Basic Reading Act of 1965, prescribed in Chapter 5.8 (commencing with Section 5770) of this division.

Exclusive Expenditure of Funds

6499.217. It is the intent of the legislature that amounts allowed pursuant to this chapter be expended exclusively for purposes of the programs authorized by this chapter. The Department of Education shall, for purposes of this chapter, prescribe a system of accounts and records to be used by school districts participating in programs authorized by this chapter which will clearly reflect the relationship between amounts provided for such purposes and the amounts expended therefor.

Approval of Applications

6499.218. Applications shall be subject to the approval of the State Board of Education. Upon approval by the State Board of Education, the Superintendent of Public Instruction shall certify an apportionment or apportionments to the Controller in accordance with procedures established by the State Board of Education. The Controller shall draw warrants on the State Treasury in the amounts certified in favor of the county treasurer of the county which has jurisdiction over the applicant school district. The county treasurer shall immediately credit the general fund of the applicant school district exactly as apportioned by the Superintendent of Public Instruction.

CHAPTER 1023, ASSEMBLY BILL NO. 1923 (Enacted September 14, 1970)

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

Section 1. Section 6499.204 of the Education Code is amended to read:

6499.204. The advisory committee on program and cost effectiveness shall develop and recommend to the State Board of Education a methodology for evaluating the cost effectiveness of projects financed by Title I and III of the Elementary and Secondary Education Act of 1965, the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of Division 6) and Chapter 106 of the Statutes of 1966, First Extraordinary Session. Such methodology shall be utilized by the State

Board of Education in determining which projects should be expanded and those which should be modified or replaced to produce a higher degree of program achievement and cost effectiveness. The advisory committee shall also assist the State Board of Education in the evaluation of the program achievement of such projects.

CHAPTER 1220, ASSEMBLY BILL NO. 2999 (Enacted October 21, 1971)

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

Section 1. Section 161 is added to the Education Code, to read:

161. The State Board of Education shall develop guidelines which school districts may use in the development of teacher evaluation procedures pursuant to Article 5.5 (commencing with Section 13485) of Chapter 2 of Division 10, and shall distribute such guidelines to every school district.

CHAPTER 1600, ASSEMBLY BILL NO. 1483 (Enacted November 22, 1971)

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

Section 1. Chapter 10.1 (commencing with Section 6961) is added to Division 6 of the Education Code, to read:

Chapter 10.1. Contracts For Special Educational Programs

6961. This act may be known and cited as "The Guaranteed Learning Achievement Act of 1971."

6962. The Legislature finds and declares, as follows.

(a) The State of California is committed to the ideal of a free public education for every child, consistent with his talents and abilities, and to this end the state and local governments expend annually substantial sums of money on local public school districts;

(b) The rising costs of public education in kindergarten and grades 1 through 12, inclusive, in the state, together with the increasing burden of property taxes for schools borne by residents of local school districts, when projected into the future, make it evident that new methods must be found to educate the children of the state to their fullest potential within the public sector, so that future projected educational costs might be reduced.

On the basis of these findings, it is the intent and purpose of the Legislature in enacting this chapter relating to experimental projects:

1. To increase significantly the achievement levels in reading and mathematics of children attending California public schools in the primary and elementary grades, as defined, through the use of contracts between public school districts and private contractors;

2. To provide that such contracting shall be on the basis of a "performance guarantee," whereby each private contractor is reimbursed on the basis of the performance

and achievement of each child involved in the special experimental program;

3. To make the fullest use of federal funds which are or may become available for aid to public education in this state, especially for innovative and original public school programs;

4. To reinforce in public education the private enterprise concept of accountability for results, as measured by specific pupil achievement and mastery of basic skills, by holding the contractor and the school district directly responsible for a student's achievement and mastery of basic skills, or the lack thereof;

5. To demonstrate the effectiveness of new and innovative approaches to learning, which may later be capable of being transferred operationally to the public school system;

6. To reduce, consistent with quality and improved student achievement, future projected public school costs in this state.

6962.5. It is the further intent of the Legislature that the programs authorized by this chapter shall be experimental in nature and that the programs be conducted on a limited scale, with the results derived therefrom to be analyzed to determine the feasibility of general application of the methods of the program.

6963. As used in this chapter:

(a) "Public school district" means any public school district in this state operating any combination of kindergarten and grades 1 through 12, inclusive, but does not include community college districts.

(b) "Private contractor" means any private individual, partnership, joint venture, firm, corporation, teachers' association, or other business entity involved and doing business in the field of educational research, testing, methodology, or any other aspect of the educational program, organized, registered, or licensed to lawfully do business in the State of California, and bonded.

(c) "Primary and elementary grades" means any educational program normally conducted by a public school district for children enrolled in kindergarten and grades 1 through 6, inclusive.

(d) "Performance guarantee contract" means a contract between a public school district and a private contractor pursuant to this chapter wherein the reimbursement to be provided by the public school district to the private contractor is based upon the measurable achievement and mastery of basic skills of students enrolled in the special program, and the maintenance of that student achievement for a period not less than six months after the date of the measurement of student achievement first required to ascertain the private contractor's reimbursement.

(e) "Penalty clause" means, as an integral part of every performance guarantee contract entered into pursuant to this chapter, a money penalty paid by the private contractor to the public school district with which he has contracted on account of each student who has not reached the level of achievement, mastery of basic skills, and proficiency specified in the contract and maintained that level of achievement and proficiency for at least six months thereafter.

(f) "The Elementary and Secondary Education Act of 1965" means Public Law 10 (79 Stat. 27) of the 89th Congress, and all acts supplemental thereto.

(g) "Evaluation and testing procedure" means the method of ascertaining the beginning and ending achievement, mastery of basic skills, and proficiency level in reading and mathematics of students enrolled in the special programs authorized pursuant to this chapter, which method shall be specifically set forth in any performance guarantee contract. Such evaluation and testing procedure shall make use of measurement devices specifically approved for this purpose by the State Board of Education on recommendation of the Superintendent of Public Instruction or developed by the contracting parties who have reached agreement on evaluation and testing procedure, subject to the approval of the Superintendent of Public Instruction. Such tests shall be administered by the Superintendent of Public Instruction.

6964. To participate in this experimental project, any public school district in this state may, with the approval of its governing board, submit to the Superintendent of Public Instruction a proposal to enter into a performance guarantee contract with a private contractor to provide the special programs authorized pursuant to this chapter. Such proposal shall propose special programs only in the fields of reading and mathematics. The proposal shall include a copy of the proposed performance guarantee contract, including the preschool or primary grades to be enrolled in the special program, the basis for reimbursement to the private contractor to include the penalty clause, the evaluation and testing procedure to be employed in the program, and the period of time of the program. Each such contract shall include in its terms specified levels of achievement, mastery of basic skills, and proficiency to be reached by enrollees in the program within a specified period of time, upon which any penalty under a penalty clause shall be based. Each proposal submitted pursuant to this section shall contain a description of the proposed method of funding, to include federal, state, and local sources.

The governing board shall consider the amount and degree of improvement guaranteed, as well as the total cost.

No contract submitted to the Superintendent of Public Instruction shall be entered into by any public school district without the express approval of the superintendent. The superintendent may also, at the time he approves such a contract, approve the allocation of federal funds available under the Elementary and Secondary Education Act of 1965 or any other federal act providing federal aid to public school districts to finance, in whole or in part, the special program to be conducted under the contract. He shall also determine the amount of state funds to be allowed to the district.

No proposal shall be approved by the State Board of Education which does not, in the opinion of the State Board of Education, offer a substantial chance of being transferred and duplicated by the public school system at a later date, if the special program therein contained is found to have merit in terms of improving student achievement and mastery of basic skills in the subject or subjects

specified and reducing future projected public school costs.

6965. Any performance guarantee contract submitted, together with a program proposal, by a public school district shall contain:

(a) An outline of the special program to be provided by the private contractor, and whether the program is to be provided in reading, mathematics, or both.

(b) The primary and elementary grade levels to be enrolled in the special program, together with the estimate of the total number of students to be enrolled in each grade level in the program.

(c) The achievement goal of students enrolled in the special program, to be achieved by the private contractor, stated in terms of reading or arithmetical achievement on the basis of performance objectives, mastery of basic skills, or other recognized basis of proficiency.

(d) The basis of reimbursement by the public school district to the private contractor and the penalty clause.

(e) The evaluation and testing procedure to be employed in the special project.

(f) A design for an audit of the program.

6965.2. A performance guarantee contract may include provision for:

(a) The use of regular teachers employed in the public school district in the special program, or other special certificated personnel employed in the public school district.

(b) The use of special teaching machines or other unique teaching methodology.

(c) The lease or sale of such teaching machines to the school district upon completion of the special program.

(d) The waiver of certification qualifications for persons employed in the special program.

(e) Payment for 20 percent of the work after 40 percent of it is performed, and payment for an additional 20 percent of the work after 60 percent of it is performed.

Twenty percent of the payment for the work performed shall be withheld for a period not to exceed six months following the completion of the contract services.

(f) Certificated and regular teachers employed in the public schools shall be used in performance guarantee contracts on a voluntary basis.

(g) No certificated employee currently employed by a school district shall lose his position because of any personnel and machine requirements of a performance guarantee contract.

(h) Any certificated employee of a school district who agrees to teach pursuant to a performance guarantee contract shall have the right to continue his membership in any certificated employee organization and to utilize the services of such organization to render advice about, and to negotiate, provisions of his employment contract with the private contractor.

This enumeration of provisions which may be included in a performance guarantee contract shall not be deemed to be exclusive.

6965.5. No later than 90 days following the completion of a special program authorized by virtue of an approved performance guarantee contract, the public school district

contracting for the program shall submit to the Superintendent of Public Instruction a report and evaluation of the success or failure of the program in terms of the numbers of enrollees successfully completing the program. An enrollee shall be deemed to have successfully completed the program if he meets the performance standard established in the contract in the time specified in such contract. The report and evaluation shall include the numbers of student enrollees who exceeded and who did not meet the performance standards established by the contract, and the amount of penalty assessed or incentive award granted, as the case may be, on account of such student enrollee. The report and evaluation shall also include a statement of the probability and feasibility of the transferral of the special program to the operational control of a public school district, together with the judgment of the public school district as to the success or failure of the special program conducted pursuant to the contract.

6965.6. The Superintendent of Public Instruction is responsible for the conduct of both preinstruction and postinstruction testing for performance guarantee contracts.

6965.7. The special programs authorized pursuant to this chapter shall be entered into on a purely voluntary basis by public school districts in the state.

6965.9. Participation in the program authorized by this chapter is experimental in nature. In reviewing proposals and proposed contracts submitted by public school districts pursuant to this chapter, the Superintendent of Public Instruction shall select for approval special programs conducted in five public school districts, each of which shall have one of the following general characteristics.

(a) A district located in a densely populated urban area, with higher than average rates of unemployment, welfare dependency, lower than average scores on statewide pupil achievement tests, and similar characteristics.

(b) A district located in a suburban community.

(c) A district located in a rural, agricultural area, or in a city or town surrounded largely by a rural, agricultural area.

(d) A district ranking among the largest 20 school districts, in terms of pupil enrollment, in the state.

(e) A district enrolling not more than 5,000 pupils in all grades operated by the district.

In no event shall more than one-fourth of the federal funds which may be available pursuant to this chapter be allocated for projects and contracts submitted by a public school district.

6966. No later than April 1 of each year the Superintendent of Public Instruction shall submit to the Assembly, the Senate, the Governor and the State Board of Education a comprehensive report summarizing the special programs which have been conducted in the last full year pursuant to this chapter, their effectiveness or lack thereof in improving the achievement levels of students enrolled, their cost in comparison with comparable public school costs for programs in the same subjects at the same grade levels, the total cost of all special programs approved, and any recommendations for future legislative or executive changes which might be made in the programs or the statutes.

6966.5. In undertaking his responsibilities and duties pursuant to this chapter the Superintendent of Public Instruction may recommend to the State Board of Education, and the State Board of Education may allocate funds received or allocable to California pursuant to the Elementary and Secondary Education Act of 1965 for the purposes of special programs authorized by this chapter.

The Superintendent of Public Instruction shall also allow to those school districts the state funds appropriated for expenditure pursuant to this chapter or funds available pursuant to the Miller-Unruh Basic Reading Act of 1965 (Chapter 5.8 (commencing with Section 5770) of this division). Funds appropriated for expenditure under the Miller-Unruh Basic Reading Act of 1965 are hereby reappropriated for expenditure pursuant to this chapter in such amounts as are required by the Superintendent of Public Instruction to make the allowances required or authorized by this chapter.

Public school districts may include in their budgets any amount necessary to support special programs authorized

by this chapter, which are contracted for by the district.

The State Board of Education may recommend and the Governor may include in the Budget Bill for the fiscal year 1972-1973 and fiscal years thereafter an amount sufficient to partially support the special programs authorized by this chapter.

6966.7. This chapter shall remain in effect until June 30, 1975, and shall have no force or effect thereafter.

Sec. 2. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Sec. 3. Any public school district participating in this program shall continue to receive all state aid to which it would otherwise be entitled and the average daily attendance shall include pupils enrolled in special programs established by this act.

COLORADO

The Colorado General Assembly passed an Educational Accountability Act on June 7 in the 1971 legislative session. This Act was funded in the amount of \$40,000 in fiscal year 1972 and has been funded for another \$40,000 for fiscal year 1973. The contents of the Act are given below:

ARTICLE 41. EDUCATIONAL ACCOUNTABILITY

123-41-1. Short title. This article shall be known and may be cited as the "Educational Accountability Act of 1971."

123-41-2. Legislative declaration. (1) The general assembly hereby declares that the purpose of this article is to institute an accountability program to define and measure quality in education, and thus to help the public schools of Colorado to achieve such quality and to expand the life opportunities and options of the students of this state; further, to provide to local school boards assistance in helping their school patrons to determine the relative value of their school program as compared to its cost.

(2) (a) The general assembly further declares that the educational accountability program developed under this article should be designed to measure objectively the adequacy and efficiency of the educational programs offered by the public schools. The program should begin by developing broad goals and specific performance objectives for the educational process and by identifying the activities of schools which can advance students toward these goals and objectives. The program should then develop a means for evaluating the achievements and performance of students. It is the belief of the general assembly that in developing the evaluation mechanism, the following approaches, as a minimum, should be explored:

(b) Means for determining whether decisions affecting the educational process are advancing or impeding student achievement;

(c) Appropriate testing procedures to provide relevant comparative data at least in the fields of reading, language skills and mathematical skills;

(d) The role of the department of education in assisting school districts to strengthen their educational programs;

(e) Reporting to students, parents, boards of education, educators, and the general public on the educational performance of the public schools and providing data for the appraisal of such performance; and

(f) Provision of information which could help school districts to increase their efficiency in using available financial resources.

123-41-3. State board of education—duties. (1) (a) The state board of education shall develop a state accountability program, which:

(b) Describes and provides for implementation of a procedure for the continuous examination and improvement of the goals for education in this state.

(c) Identifies performance objectives which will lead directly to the achievement of the stated goals.

(d) Adopts a procedure for determining the extent to which local school districts accomplish their performance objectives. Evaluation instruments, including appropriate tests, shall be developed under the authority of this article to provide the evaluation required, but standardized tests shall not be the sole means developed to provide such evaluation.

(c) Recommends a procedure and timetable for the establishment of local accountability programs.

(2) The state board of education shall adopt rules and regulations for the implementation of this article

(3) (a) There is hereby created an advisory committee to the state board of education, which shall consist of seventeen members to be selected in the manner and for the terms provided in this subsection (3). The advisory committee shall assist the state board of education in performing its duties under this article.

(b) (i) Three of the members of the advisory committee shall be appointed by the speaker of the house of representatives, of which no more than two shall be from each of the major political parties; and two of the members of the advisory committee shall be appointed by the president of the senate, one from each of the major political parties.

(ii) Five members of the advisory committee shall be appointed by the governor from among those persons who are currently serving or have served as members of boards of education in this state.

(iii) Seven members of the advisory committee shall be appointed by the state board of education, three of which shall be classroom teachers and three of which shall be public school administrators.

(4) The terms of office of members of the advisory committee shall be three years; except that of the members appointed under subsection (3) (b) (i) to take office on July 1, 1971, two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and one member shall be appointed for a three-year term; of the members appointed under subsection (3) (b) (ii) to take office on July 1, 1971, two members shall be appointed for one-year terms, one member shall be appointed for a two-year term, and two members shall be appointed for three-year terms; and of the members appointed under subsection (3) (b) (iii) to take office on July 1, 1971, two members shall be appointed for one-year terms, two members shall be appointed for two-year terms, and three members shall be appointed for three-year terms. Vacancies shall be filled by appointment, in the same manner as original appointments, for the unexpired term.

(5) The advisory committee shall elect a chairman from among its members. The members of the advisory committee shall receive no compensation for their services on the committee but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties on the committee.

(6) The department of education shall make available to the advisory committee such data, facilities, and personnel as are necessary for it to perform its duties.

123-41-4. Local accountability programs. (1) The board of education of each school district in the state shall adopt a plan for a local accountability program designed to measure the adequacy and efficiency of educational programs offered by the district. The board shall appoint an advisory accountability committee which shall make recommendations to the board relative to the program of accountability but it shall be the responsibility of the board to implement the provisions of this section. The advisory accountability committee shall consist of at least one parent, one teacher, one school administrator, and a taxpayer from the district.

(2) The board of education of each district shall report not later than December 31 of each year to the residents of the district, and to the state board of education, on the extent to which the district has achieved its stated goals and objectives. The report shall also contain an evaluation of educational decisions made during the previous year which have affected school services and processes.

(3) The state board of education shall assist local boards of education in the preparation of the district goals and objectives and the procedures for measuring school district performance in reaching those goals and objectives.

123-41-5. Reports. Not later than March 1, 1972, and each year thereafter, the state board of education shall transmit to the general assembly a report of its activities in developing and administering the educational accountability program, including the progress of the state and local school districts toward the achievement of their respective goals and objectives. The state board of education shall also recommend any legislation which it deems necessary for the improvement of educational quality in this state.

Section 2. Effective date. This act shall take effect July 1, 1971.

Section 3. Appropriation. In addition to any other appropriation, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the fiscal year beginning July 1, 1971, to the department of education, the sum of forty thousand dollars (\$40,000), or so much thereof as may be necessary for the administration and implementation of this act.

Colorado's State Legislature also enacted Senate Bill No. 42 in the 1971 legislative session, which is the Program, Planning, Budgeting and Evaluating System (PPBES) Act. This Act is reproduced below:

SENATE BILL NO. 42

CONCERNING A BUDGETING AND EVALUATION SYSTEM FOR THE PUBLIC SCHOOLS, AND MAKING AN APPROPRIATION THEREFOR.

Be it enacted by the General Assembly of the State of Colorado:

Section 1. 123-34-5, Colorado Revised Statutes 1963 (1967 Supp.), is amended to read: 123-34-5. Financing, budgeting, and accounting. (1) Financing of the services performed under the direction of the board of cooperative services shall be by contributions from available moneys in any funds, which may be legally expended for such services, of the participating members on the basis of a proportionality agreed upon by the governing boards of the participating members and from the boards of cooperative services funds.

(2) A board of cooperative services shall adopt a budget and an appropriation resolution prior to the beginning of the calendar year for which adopted.

(3) A board of cooperative services shall follow the provisions of "The School District Budget Law", being Article 32 of this chapter, wherever such provisions are applicable, except that the provisions of sections 123-32-12 (3) (c), (4), and (6), and 123-32-15 (4) shall not apply to a board of cooperative services.

Section 2. Chapter 123, Colorado Revised Statutes 1963, as amended, is amended by the addition of a new article to read:

ARTICLE 42

Program Planning, Budgeting, and Evaluating System

123-42-1. Short title. This article shall be known and may be cited as the "Program Planning, Budgeting, and Evaluating System (PPBES) Act."

123-42-2. Legislative declaration. It is the purpose of this article to develop for the public schools a budget format which will present educational programs in terms of pupil achievement and relate these programs to expenditures.

123-42-3. Development of manual. (1) The department of education shall contract with a nationally recognized firm having experience and expertise in developing PPBES for public schools for the preparation draft of a manual containing definitions and directions necessary for establishing a state-wide program accounting system.

(2) The department of education, with expert assistance, shall prepare a final draft of the manual and shall send at least one copy thereof to each school district in the state no later than July 1, 1972.

123-42-4. Establishment of system by school districts. No later than July 1, 1973, each school district in this state shall establish and maintain its program accounting system pursuant to the manual prescribed in section 123-42-3.

123-42-5. Penalties. Any school district in this state which does not establish and maintain its program accounting system as required by section 123-42-4, shall forfeit and shall not be paid an amount equal to ten percent of the

amount it otherwise would receive during the ensuing calendar year pursuant to the "Public School Foundation Act of 1969."

123-42-6. Reports. Each school district of this state shall report to the state board of education no later than January 1 and July 1 of each year following the institution of such system concerning its experience with such system during the previous six months.

123-42-7. Administration. This article shall be administered

by the state board of education. The state board of education shall have the authority to adopt reasonable rules and regulations for the administration of the article.

Section 3. Appropriation. In addition to any other appropriation, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, to the department of education, the sum of forty thousand dollars (\$40,000), for the fiscal year beginning July 1, 1971, in order to carry out the purposes of this act

CONNECTICUT

Connecticut's General Assembly passed a number of Acts relating to evaluation of educational programs during the 1971 session. Some of the Acts are presented below, starting with Public Act No. 665, which requests an evaluation and assessment procedure to measure educational programs of the school districts. Following this Act are five Acts concerned with the evaluation of vocational and occupational education programs, programs for the disadvantaged, special education programs, federal education programs, and innovative programs.

A section of the report of the Governor's Commission on Services and Expenditures was sent to the State Educational Accountability Repository by Connecticut. The section is titled Education, and among the many recommendations are those which ask for a reorganization of the Department of Education; the installation of a system for evaluating, projecting, and monitoring financial aspects of federal and state grant programs for education; immediate steps to improve management control, service, and cost effectiveness in the Department of Education; and the expanded use of data processing. Estimated costs to carry out these recommendations are provided in the report. Copies of the document can be distributed upon request.

Another bill has been passed by the Connecticut State Legislature in the 1972 session, and this bill was passed over the Governor's veto. Substitute House Bill No. 5371 establishes a Legislative Program Review Committee which is a permanent standing Committee composed of legislative members from both the Senate and House. This Committee shall meet as often as it may be necessary to examine state agency programs and their administration to determine whether they are effective, efficient, serve their intended purposes, or require modification or elimination. There is a legislative management group in the Connecticut State Legislature which has funds of its own. This newly-established Committee will be able to draw from these funds and also from the budget of the Legislature. The bill is quoted following the aforementioned Acts.

PUBLIC ACT NO. 665 (Enacted July 6, 1971)

AN ACT CONCERNING DUTIES OF THE BOARD OF EDUCATION TO EVALUATE THE EDUCATIONAL PROGRAMS OF SCHOOL DISTRICTS WITH THE ADVICE OF A LEGISLATIVE COMMITTEE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-4 of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: (a) Said board shall have general supervision and control of the educational interests of the state, which interests shall include pre-school, elementary and secondary education, special education, vocational education and adult education; shall provide leadership and otherwise promote the improvement of education in the state,

including research, planning and evaluation; shall prepare such courses of study and publish such curriculum guides including recommendations for textbooks, materials and other teaching aids as it determines are necessary to assist school districts to carry out the duties prescribed by law, shall conduct workshops and related activities including programs of intergroup relations training, to assist teacher in making effective use of such curriculum materials and in improving their proficiency in meeting the diverse needs and interests of pupils, and shall keep informed as to the condition, progress and needs of the schools in the state (b) Said board shall submit to the governor, as provided in section 4-60, and to the general assembly, a detailed statement of the activities of the board and an account of the condition of the public schools and of the amount and quality of instruction therein and such other information as will assess the true condition, progress and needs of public education. Said board shall develop or cause to be developed an evaluation and assessment procedure designed to measure objectively the adequacy and efficiency of the educational programs offered by the public schools and shall report on these procedures to the joint standing committee on education of the general assembly by February 15, 1972. (c) Said board shall also include recommendations for policies and programs designed to improve education and may publish such reports and information concerning the educational interests of the state within its jurisdiction as it deems advisable.

Section 2. This act shall take effect July 1, 1971.

PUBLIC ACT NO. 383 (Enacted June 3, 1971)

AN ACT CONCERNING THE EVALUATION OF PROGRAMS OF VOCATIONAL AND OCCUPATIONAL EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 10-96 of the general statutes is repealed and the following is substituted in lieu thereof. (a) The state board of education shall establish standards under which it will approve town-operated vocational schools and industrial arts programs in junior high schools and high schools and prescribe the regulations under which towns shall receive grants-in-aid for such approved vocational schools and for the expansion and development of industrial arts programs (b) Said board shall evaluate periodically the progress, accomplishments and needs of programs provided for in section 10-64 to 10-66, inclusive, 10-95, 10-96, 10-99, 10-266f and 10-286a and shall on or before March first of each year report its findings to the governor and the general assembly. Said board shall at such time report to the joint standing committee on education of the general assembly the disbursement of funds, the types of projects funded and evaluate projects authorized by said statutes.

PUBLIC ACT NO. 52 (Enacted April 17, 1971)

AN ACT CONCERNING THE PERIODIC EVALUATION AND REPORTING OF PROGRAMS DEALING WITH THE EDUCATION OF DISADVANTAGED CHILDREN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 10-266i of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: The state board of education shall periodically evaluate the progress and accomplishments of programs covered by sections 10-266f to 10-266h, inclusive, and shall report its findings to the boards of education providing such programs and to all other boards of education. The state board of education shall, on a semiannual basis, review with the joint standing committee on education of the general assembly the disbursement of funds, the types of projects funded, and the evaluation of programs dealing with the education of disadvantaged children and youth.

PUBLIC ACT NO. 326 (Enacted May 28, 1971)

AN ACT CONCERNING EVALUATION OF SPECIAL EDUCATION PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 10-76b of the 1969 supplement to the general statutes is amended by adding subsection (d) as follows: The state board of education shall periodically evaluate the progress and accomplishments of programs covered by sections 10-76a to 10-76g, inclusive. Said board shall annually review, with the joint standing committee on education of the general assembly, the disbursement of funds, the types of projects funded, and the evaluation of programs dealing with children requiring special education in order to apprise the general assembly of the true condition, progress and needs of special education.

PUBLIC ACT NO. 382 (Enacted June 6, 1971)

AN ACT CONCERNING REPORTING BY THE STATE BOARD OF EDUCATION OF EDUCATIONAL PROGRAMS CONDUCTED WITH FEDERAL FUNDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 10-11 of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: (a) The state board of education is empowered, subject to the provisions of the general statutes, to receive any federal funds made available to this state for purposes of elementary, secondary or vocational education and to expend such funds for the purpose or purposes for which they are made available. The state treasurer shall be custodian of such funds. (b) The state board of education, on or before February fifteenth of each year, shall submit to the governor and the general assembly a detailed report of all federal funds for such educational purposes received

in Connecticut, the disbursement of such funds, the programs funded, an evaluation of said programs and such additional information as may be requested by the joint standing committee on education of the general assembly

PUBLIC ACT NO. 430 (Enacted June 6, 1971)

AN ACT CONCERNING THE DEVELOPMENT OF INNOVATIVE EDUCATIONAL PROGRAMS

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 10-76i of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof: (a) The board of education of any school district, or any other public or private non-profit organization or agency, may prepare and develop experimental educational plans and submit them to the state board of education, provided all such proposals coming from organizations other than a board of education shall be approved by the board of education of the school district before submission to the state board. Each such plan shall specify, describe and support with reasons the following: (1) The objective of such plan; (2) the methods of evaluation to be employed; (3) the area to be served by and from which pupils will be drawn for the experimental educational project; (4) the policies, standards and methods to be employed in the selection of pupils; (5) the policies, standards and methods with respect to the operation of the project, including administrative organization, grouping of pupils, educational and instructional practices, the use and functioning of teachers and other instructional and supervisory personnel, choice of educational materials and equipment, allocation of curricular time and use of extra-school cultural facilities; (6) the site, size, design, estimated capital cost and method of financing of any school or other building, or specific standards and criteria for determining the same; (7) the expected sources of financial support together with estimates of the required annual budgets for the first two years of operation, exclusive of capital costs of land and buildings; (8) the policies and standards with respect to professional staff, including qualifications, estimated salary scales and methods of selection of professional personnel; and (9) provision for direct participation by members of the communities and students to be served by such experimental educational projects, in planning, policy-making and service function affecting such projects. The state board of education may accept, reject or modify any such experimental educational project, or it may request the revision and resubmission of such plan, if said board finds such plan does not conform to the educational interests of the state, as defined in section 10-4a and other sections of the general statutes. Acceptance of an experimental education project by the state board of education shall constitute compliance of the plan with this and other sections of this title. (b) The state board of education shall furnish assistance to all applicants in the planning and developing of projects under this section. (c) All experimental educational projects conducted pursuant to subsection (a) of this section shall be evaluated at least annually

The state board of education shall, on or before March first annually, review with the joint standing committee on education of the general assembly all applications for projects, state board actions on such proposals, the current programs, evaluations of such programs, and such other information as said committee may require in order to inform itself about such programs.

SUBSTITUTE HOUSE BILL NO. 5371 (Passed over Governor's veto, 1972)

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. There is hereby created a legislative program review committee which shall be a permanent standing committee of the general assembly, consisting of six members of the senate, three appointed by the president pro tempore and three appointed by the minority leader, and six members of the house of representatives, three appointed by the speaker of the house and three appointed by the majority leader. At least one appointment by each appointing authority shall be of a member from the joint standing committee on appropriations and at least one shall be of a member from the legislative committee having jurisdiction over government administration and policy. Members shall serve for a term of two years from date of appointment. The appointments shall be made at the beginning of each regular session of the general assembly in the odd-numbered year; except that initial appointment to said committee shall be made within thirty days after July 1, 1972, and shall be for a term not to exceed seven months. The terms of all members appointed to the committee shall end with the termination of each member's term or holding of office, whichever occurs first. Vacancies shall be filled in the same manner as the original appointments. The committee shall select co-chairmen and such other officers as it may deem necessary from among its membership. A majority of the membership shall constitute a quorum and all actions of the committee shall require the affirmative vote of a majority of the full committee membership.

Section 2. As used in this act "program review" means an examination of state government programs and their administration to ascertain whether such programs are effective, continue to serve their intended purposes, are conducted in an efficient and effective manner, or require modification or elimination.

Section 3. The legislative program review committee shall meet as often as may be necessary, during legislative sessions and during the periods between sessions, to

perform its duties and functions.

Section 4. The legislative program review committee shall: (1) Direct its staff and other legislative staff available to the committee to conduct program reviews to assist the general assembly in the proper discharge of its duties, (2) establish policies and procedures regarding the printing, reproduction, and distribution of its reports; (3) review staff reports submitted to the committee and, when necessary, confer with representatives of the state departments and agencies reviewed in order to obtain full and complete information in regard to programs, other activities, and operations of the state, and may request and shall receive from all public officers, departments, agencies and authorities, of the state and its political sub-divisions, such assistance and data as will enable the committee to fulfill its duties. The committee shall act on staff reports and, in its report, recommend such legislation as may be necessary to modify current operations and agency practices. (4) consider and act on requests by legislators, legislative committees, elected officials of state government, and state department and agency heads for program reviews. The request shall be submitted in writing to the program review committee and shall state reasons to support the request. The decision of the committee to grant or deny such a request shall be final; (5) retain, within available appropriations, the services of consultants, technical assistants, research and other personnel necessary to assist in the conduct of program reviews.

Section 5. In any instance in which a program review cites inadequate operating or administrative system controls or procedures, inaccuracies, waste, extravagance, unauthorized or unintended activities or programs, or other deficiencies, the head of the state department or agency or the appropriate program officer or official to which the report pertained shall take the necessary corrective actions and when the committee deems the action taken to be not suitable, the committee shall report the matter to the general assembly together with its recommendations.

Section 6. The legislative program review committee may, at any time, take under study any matter within the scope of a completed or partially completed staff report then being conducted or may at its discretion study and consider any matter relative to program activities of state departments and agencies.

Section 7. The legislative program review committee shall report annually to the general assembly on or before February fifteenth and may, from time to time, make additional reports.

Section 8. This act shall take effect July 1, 1972.

According to the Connecticut Department of Education, legislation may be introduced in the 1973 session to authorize contracting a private agency to carry out the evaluation of the state agency programs requested in H.B. No. 5371.

Connecticut passed Public Act No. 204 in 1972, a bill that amended its state certification act to provide for internships in certifiable positions and the evaluation of their performance before further certification. Part of this Act is quoted below:

PUBLIC ACT NO. 204
(Enacted May 19, 1972)

An act concerning state certificates to teach or supervise.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. As used in this act (a) "equivalency" means qualifications reasonably comparable to those specifically listed as required for certification, (b) "alternate" means qualifying for certification in a manner other than the completion of an approved program of teacher education, (c) "internship" means an initial period of not less than a year, during which the applicant for a certified position performs the duties of that position under supervision, training and evaluation. Satisfactory performance as an intern shall be required before further certifications may be issued to him for that position.

Sec. 2. Section 10-146 of the 1971 supplement to the general statutes is repealed and the following is substituted in lieu thereof. The state board of education may, in accordance with such regulations as it prescribes, grant a certificate of qualification to teach or to supervise in any public school in the state and may revoke the same. A program shall be developed by January 1, 1973, providing for internships in certifiable positions, evaluation of the performance of such interns by persons the state board specifies, and such equivalencies and alternates to present certification requirements acceptable from persons with bachelors degrees from approved colleges as the board deems necessary or desirable. Said board shall report on said program to the joint standing committee on education. The certificate of qualification issued under this section shall be accepted by boards of education in lieu of any other certificate, provided additional qualifications may be required by a board of education, in which case the state certificate shall be accepted for such subjects as it includes. No certificate to teach shall be granted to any person who has not passed a satisfactory examination, or been legally exempted therefrom, in hygiene, and the effects of nicotine or tobacco, alcohol and controlled drugs, as defined in section 19-443, on health, character, and personality development. The state board of education and the commission for higher education in consultation with the commissioner of mental health shall develop educational programs for the training of teachers, administrators and guidance personnel with reference to the effects of nicotine or tobacco, alcohol and controlled drugs.

FLORIDA

Two Acts were passed by the Florida State Legislature in 1970 and in 1971, both of which were initiated and requested by the State Department of Education. Chapter 70-399, enacted in the 1970 session, did not appropriate any funds. The Educational Accountability Act of 1971 provided \$90,000 in state funds. A summary of the 1972 budget request in which \$100,000 is being requested for the assessment program is being sent to SEAR. The total program of the Accountability Act will probably amount to \$500,000 or \$600,000.

CHAPTER 70-399

Section 9. (1) Development of Education Evaluation Procedures.--

The commissioner of education shall, no later than March 1, 1971, develop or cause to be developed evaluation procedures designed to assess objectively the educational programs offered by the public schools of this state. The evaluation procedures to be developed shall include such methods as are necessary to assess the progress of students at various grade levels and in the various educational programs of the public schools. The evaluation procedures shall be so constructed and developed as to provide each school district with relevant comparative data to enable district school board members, administrators and the public to more readily appraise educational progress and to effectuate the strengthening of the district's educational program. The evaluation procedure shall provide a uniform evaluation of each school district in this state, and, to the extent possible, be compatible with national procedures for the assessment of progress in education.

(2) Reports. -

The commissioner of education shall make a preliminary report to the state board of education and the chairmen of the house and senate education committees by October 1, 1970. The preliminary report shall include the commissioner's proposed budget for implementing the evaluation procedures in the fiscal year 1971-72. This proposed budget shall be included in the legislative budget of the department of education. The commissioner shall make a final report to the state board of education and the legislature by March 1, 1971. The final report shall include the commissioner's recommendations for the dissemination of the data on educational progress in each school district . . .

Section 12. This act shall take effect July 1, 1970.

HOUSE BILL 894

AN ACT RELATING TO EDUCATION; PROVIDING FOR A PROGRAM OF EDUCATIONAL ACCOUNTABILITY FOR THE PUBLIC SCHOOLS OF THE STATE; PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Short Title.--This act shall be known and may

be cited as "The Educational Accountability Act of 1971."

Section 2. Purposes, intent. The purposes of this act are to provide for the implementation and further development of education assessment procedures as required by section 9 (1), chapter 70-399, Laws of Florida, and the plan for educational assessment in Florida developed by the commissioner of education pursuant to this chapter: to provide for the establishment of educational accountability in the public education system of Florida, to assure that education programs operated in the public schools of Florida lead to the attainment of established objectives for education; to provide information for accurate analysis of the costs associated with public education programs; and to provide information for an analysis of the differential effectiveness of instructional programs.

Section 3. Educational accountability program.-- The commissioner of education is directed to implement a program of educational accountability for the operation and management of the public schools, which shall include the following:

(a) Pursuant to paragraph (e), subsection (2), section 229.053, Florida Statutes, the commissioner, with the approval of the state board of education, shall, no later than November 1 of 1972 and each year thereafter, establish basic, specific, uniform statewide educational objectives for each grade level and subject area including, but not limited to, reading, writing, and mathematics, in the public schools.

(b) The commissioner shall develop and administer a uniform, statewide system of assessment based in part on criterion-referenced tests and in part on norm-referenced tests to periodically determine pupil status, pupil progress and the degree of achievement of established educational objectives.

(c) The commissioner shall make an annual public report of the aforementioned assessment results. Such report shall include, but not be limited to, a report of the assessment results by grade and subject area for each school district, and the state, with an analysis and recommendation concerning the costs and differential effectiveness of instructional programs.

(d) The school board of each district shall by the 1973-74 school year make an annual public report of the aforementioned assessment results which shall include pupil assessment by grade and subject area for each school in the district. A copy of the district's public report shall be filed with the commissioner of education.

(e) The commissioner, with approval of the state board of education, shall by the 1973-74 school year, develop accreditation standards based upon the attainment of the established educational objectives.

Section 4. Implementation. This act shall apply to the subject area of reading by the 1971-72 school year, the subject areas of writing and mathematics by the 1972-73 school year and shall include other subject areas by the 1973-74 school year.

Section 5. This act shall become effective July 1, 1971.

Chapter 231, S. 231.29

Record of Personnel.

(1) The department of education shall maintain a complete statement of the academic preparation, professional training and teaching experience of each person to whom a certificate is issued. The applicant, or the superintendent, shall furnish the information making up such records on blanks furnished by the department.

(2) For the purpose of improving the quality of instructional, administrative and supervisory services in the public schools of the state, the superintendent shall establish procedures for assessing the performance of duties and responsibilities of all instructional, administrative and supervisory personnel employed in his district. A complete statement of the criteria and procedure to be used shall be furnished the department and shall include but not be limited to the following provisions:

(a) Assessment for each individual shall be made at least

once a year.

(b) A written record of each assessment shall be made and maintained in the district.

(c) The principal or the person directly responsible for the supervision of the individual shall make the assessment of the individual to the superintendent and the school board for the purpose of reviewing continuing contract.

(d) Prior to preparing the written report of assessment, each individual shall be informed of the criteria and the procedure to be used.

(e) The written report of assessment for each individual shall be shown to him and discussed by the person responsible for preparing the report.

(3) The assessment file of each individual shall be open to inspection only by the school board, the superintendent, the principal, the individual himself and such other persons as the teacher or the superintendent may authorize in writing.

HAWAII

The State of Hawaii passed legislation in June, 1970, mandating a PPBS system. Two Resolutions also were passed in the 1972 legislative session relating to a statewide testing program.

The PPBS bill is Act No. 185 entitled "The Executive Budget Act." The task to formulate the new system was assigned to a legislative committee called the Joint Interim Committee on Budget Format and Review. The Committee developed a new format through which budgeting, planning, and program performance information would be reported; it recommended the essentials of a system to support the format; and it proposed legislation to formalize the entire system. Principal features of the new system are described in a committee report directed to the Speaker of the House of Representatives. The main features are reproduced here, but the entire committee report and the contents of the Act are too lengthy to repeat in this document. In addition to the principal features, sections of the committee report include a comparison of the current system with the new system, clarification of particulars in the bill which were misunderstood at hearings, guidelines for implementation, and an implementation time schedule.

All of the following features are fully described and discussed in detail in the bill, xeroxed copies of which can be forwarded upon request from SEAR. The bill also provides the general principles by which the system shall be governed, and the responsibilities of the governor, the legislature, the department of budget and finance, and of the state agencies.

PRINCIPAL FEATURES OF ACT 185

The bill establishes a comprehensive Planning-Programming-Budgeting System (PPBS) for State program and financial management which is designed to further the capacity of both the governor and legislature to plan, program and finance the programs of the State. When fully implemented, this system will make possible the following:

*The orderly establishment, continuing review and periodic revision of the State program and financial policies and objectives.

*The development, coordination and review of long-range program and financial plans that will implement established State objectives and policies.

*The preparation, coordination and analysis, and enactment of a budget organized to focus on State programs and their full costs.

*The evaluation of alternatives to existing objectives, policies, plans and procedures that offer potential for more efficient and effective use of the State resources.

*The regular appraisal and reporting of program performance.

There are three formal products of the system which are to be submitted to the legislature for the exercise of its decision-making and review responsibilities: (1) The Six-Year Program and Financial Plan; (2) The Executive

Budget; and (3) The Variance Report. Their general contents are summarized below.

*The Six-Year Program and Financial Plan, to be annually and continually updated, shall include:

(1) The State program structure, a display of programs which are grouped in accordance with the objectives to be achieved.

(2) Statements of statewide objectives and program objectives.

(3) Program plans which describe the programs recommended to implement the statewide and program objectives and the manner in which the recommended programs are to be implemented over the next six fiscal years.

(4) A financial plan which shows the fiscal implications of the recommended programs for the next six fiscal years.

*The Executive Budget, to be submitted in every odd-numbered year, shall include:

(1) The State program structure.

(2) Statements of statewide objectives and program objectives.

(3) The financial requirements for the next two fiscal years to carry out the recommended programs.

(4) A summary of State receipts and revenues in the last completed fiscal year, a revised estimate for the fiscal year in progress, and an estimate for the succeeding biennium.

*The Variance Report, to be submitted annually, shall identify and explain variances in actual program performance from planned program performance.

Senate Resolution No. 190 was enacted on March 14, 1972, and requests the Department of Education to include tests results by schools in its reports on the statewide standardized testing program, but in a manner which safeguards the anonymity of individual students.

SENATE RESOLUTION NO. 190

WHEREAS, the people of Hawaii, to which all State agencies and programs are ultimately accountable, have a right to be informed of the performance and progress of the public school system; and

WHEREAS, public support for and confidence in public education can be attained only if parents and others are fully informed of the educational results and accomplishments of the public school system; and

WHEREAS, one of the criteria for measuring performance and progress of public education is how well students in public schools perform on standardized tests, and

WHEREAS, standardized tests, when carefully administered and interpreted in proper relationship to other data, can provide valuable information which can be used, together with other criteria, to evaluate educational programs; and

WHEREAS, the Department of Education routinely conducts standardized tests, including School and College Ability Tests (SCAT) and Sequential Tests of Educational Progress (STEP), and issues reports on the testing programs with the test results aggregated for the State as a whole and for districts; and

WHEREAS, the reports would be of greater value if they

were also to include test results by individual schools with appropriate historical data and interpretative commentary as to the utility and limitations of the data; and

WHEREAS, such jurisdictions as the Los Angeles School District periodically report to the public on test results by individual schools and the University of Hawaii annually reports on the performance of freshman students categorized by the high schools from which they graduated; and

WHEREAS, the routine publication of standardized test results by schools, supported by the Department of Education's interpretations, explanations and analysis, would serve to place test results in perspective and prevent misunderstandings from arising as to their meaning; and

WHEREAS, in addition to the interest of the public, test results by schools may have implications for the allocation of resources and would therefore be of interest to the legislature as well; now, therefore,

BE IT RESOLVED by the Senate of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, that the Department of Education be, and is hereby requested to submit to the 1973 Regular Session of the Legislature, and annually thereafter, a report of the statewide standardized testing program to include test results by schools, presented in a manner which safeguards the anonymity of individual students, and appropriate historical and interpretative commentary on the results; and

BE IT FURTHER RESOLVED that a reasonable number of copies of the report be available to the public and to the press; and

BE IT FURTHER RESOLVED that duly certified copies of this resolution be transmitted to the State Superintendent of the Department of Education and to the Chairman of the Board of Education.

House Concurrent Resolution No. 43, enacted in March, 1972, requests the Department of Education to examine and revise its methods of reporting the results of tests administered in the public schools as follows:

HOUSE CONCURRENT RESOLUTION NO. 43

WHEREAS, the availability and importance of statistical data on ability and achievement tests administered in the public schools can be evidenced by the numerous reports

and evaluations published by the Department of Education, and

WHEREAS, the results of standardized tests can be an invaluable resource in terms of measuring the educational progress being made only if the statistical data are accurate, valid, and reliable as well as properly interpreted and reported in a manner that can be clearly understood and utilized; and

WHEREAS, although the results of tests are especially relevant and vital to principals, teachers, curriculum specialists, and other related school personnel, today's general public also needs and is rightfully demanding to be informed on the educational progress being made, and

WHEREAS, knowledge of where the crucial problems and weaknesses in education lie should be made available to the public in order that they may give intelligent support of sound and rational legislative decisions that must be made on the wise use of human and financial resources to produce maximum results; and

WHEREAS, although the Department of Education has recognized the need for a continuing assessment of the progress of education in the State and has attempted to keep educators informed of its assessment, public concern has created the need for widespread comprehensive reporting of the progress and problems of education in the State; now, therefore,

BE IT RESOLVED by the House of Representatives of the Sixth Legislature of the State of Hawaii, Regular Session of 1972, the Senate concurring, that the Department of Education be requested to examine and revise its methods of reporting the results of tests administered in the public schools with consideration given, but not limited to.

1. A goal-oriented approach to testing in which a kind of standard is determined and established as desirable to achieve;

2. Description of the designs of tests and material used-e.g., the problems associated and encountered in the kinds of tests that were administered, the difficulty of the questions;

3. Interpretation of test scores to include the importance of particular scores and their relationship to the desirable standards that were established; and

4. Style of report writing that is clear, comprehensive, and accurate for use and distribution to the general public.

ILLINOIS

The State of Illinois has introduced three education bills in the 1972 legislative session, which, as of June 1972, have passed the Assembly and are pending final vote in the Senate. Senate Bill 1430 provides for the development of a state educational needs assessment program by the Superintendent of Public Instruction, with the advice of a Citizens' Advisory Committee. This program requires an annual assessment of pupil performance and fiscal efficiency of education by September 1, 1975. Norm-referenced testing is to constitute no more than one-third of the total assessment. Also, local school boards may request a complete state educational assessment of their districts. The bill appropriates \$128,306 for the State Superintendent to administer the Act. Details of the bill are provided below:

SENATE BILL NO. 1430

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Sec. 2-3.40. State Educational Needs Assessment. To develop and implement a state educational needs assessment in order to determine the educational performance and fiscal efficiency of the system of education offered by the public schools of the State. The educational goals and objectives used in the assessment shall be determined by the Superintendent of Public Instruction with the advice of the Citizens' Advisory Committee for Assessment and Evaluation. In order to determine the pupil performance and fiscal efficiency of education in this State, the Superintendent of Public Instruction shall have the following duties:

(1) To develop techniques for assessing student attributes including student's knowledge, skills and attitudes. The techniques employed shall include, but are not limited to, surveys, tests and questionnaires.

(2) To field test, evaluate and revise the state educational assessment procedures based on valid sampling techniques, and begin a state educational assessment program by September 1, 1975.

(3) To conduct an annual state educational assessment.

(4) To furnish annual reports of the state educational assessment to the Governor, the General Assembly, and the School Problems Commission which indicate the progress made in the establishment of an educational assessment program and the results of each annual state educational assessment.

(5) To assist those boards that request a district educational assessment in interpreting the results so that affirmative action may be taken to improve local educational programs and procedures.

All norm-referenced testing conducted hereunder shall constitute no more than one-third of the importance of the total assessment and shall be administered on a sampling basis unless otherwise requested by the local school board. Also, all reported data shall take into account other characteristics which influence student educational per-

formance such as the size of the school and district, level of financial support, and other school, community, economic and social variables.

The Superintendent of Public Instruction shall promulgate all necessary rules and regulations for the implementation of this Section.

Section 2. The sum of \$128,306, or so much thereof as may be necessary, is appropriated to the Superintendent of Public Instruction for purposes of this amendatory Act.

Section 3. This amendatory Act takes effect July 1, 1972, or upon its becoming a law, whichever is later.

Senate Bill No. 1432 provides for the development and implementation of internal annual evaluation systems for the Office of the Superintendent of Public Instruction and for the regional education offices, the purpose of which is to yield information about the performance and fiscal efficiency of each office. Performance standards will be established by citizens' committees. The evaluation systems must be started in July, 1973. The contents of the bill are repeated below:

SENATE BILL NO. 1432

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Sec. 2-3.39. Office of the Superintendent of Public Instruction Evaluation. Beginning July 1, 1972, to plan and develop an evaluation system for the Office of the Superintendent of Public Instruction and after July 1, 1973, to annually conduct an internal evaluation of the performance and fiscal efficiency of that Office in achieving goals established by the Office and the Citizens' Advisory Committee for Assessment and Evaluation created herein. Such evaluation of the Office shall be made annually with the Office conducting the evaluation the first year; a private, independent firm or agency selected by the Citizens' Advisory Committee for Assessment and Evaluation, the second year; and this sequential order followed every year thereafter. The annual evaluation shall appraise the performance of the various divisions of the Office of the Superintendent of Public Instruction as related to the utility and efficiency of services to local school boards, administrators, teachers, students and the general taxpaying public. Results of the evaluation shall be made public. The Superintendent of Public Instruction shall appoint a Citizens' Advisory Committee for Assessment and Evaluation composed of 14 members to advise in the annual evaluation. The committee shall consist of 7 members appointed by the Superintendent from a list of nominees, with each major state education organization selecting one nominee for the list, and 7 members appointed by the Superintendent from a list of nominees, with each major state taxpayer, parent, and student organization selecting one nominee for the list. Members of the Committee shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.

Sec. 3-14.23. Office of the Superintendent of Educa-

tion Service Regional Evaluation. Commencing July 1, 1972, to plan and develop an evaluation system for the Office of the Superintendent of the Educational Service Region and after July 1, 1973, to annually conduct an internal evaluation of the performance and fiscal efficiency of that Office in achieving goals established by the Office and the Regional Citizens' Advisory Committee for Evaluation created herein. Results of the evaluation shall be made public. The Superintendent of the Educational Service Region shall appoint a Regional Citizens' Advisory Committee for Evaluation composed of residents of the Educational Service Region to advise in the evaluation. The Committee shall be composed of 7 members in Educational Service Regions with less than 16,000 inhabitants; 9 members in regions with 16,000 to 47,999 inhabitants; 11 members in regions with 48,000 to 99,999 inhabitants; and 13 members in regions with 100,000 or more inhabitants. Five members of the Committee shall be the members of the Advisory Committee for the reorganization of the Educational Service Region as required by Article 3A of "The School Code." The members of the Committee shall so far as possible be representative of the geographical areas within the region and shall serve without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties. The Superintendent of Public Instruction shall approve the methods and procedures chosen by the Educational Service Region to evaluate the performance of that Office in accomplishing the goals established by it and the Regional Citizens' Advisory Committee for Evaluation.

Senate Bill No. 1548 is directed at the local school district level and is called the School District Educational Effectiveness and Fiscal Efficiency Act. It provides for the development of systems to determine the educational effectiveness and fiscal efficiency of school districts in the state. School district participation is voluntary and those applicant districts that are selected by the State Superintendent and the Director of the Bureau of Budget will be awarded grants to help defray costs incurred. An appropriation of \$500,000 has been included in the bill for these grants and for administrative costs of the state office necessary to implement the Act. The bill is reproduced below:

SENATE BILL NO. 1548

Be it enacted by the People of the State of Illinois, represented in the General Assembly: . . .

Section 2. Development of systems. Each school district which successfully applies for a grant shall develop a system of financial planning, management and control. Such a system shall include the establishment, with maximum community, school board, staff and administration participation, of measurable goals and objectives for education within the district. To assist in the achievement of these goals and objectives, the system shall also provide for and

facilitate the planning and coordination of district financial policy; effective budget preparation and control; the design and implementation of improved accounting and financial reporting systems; and the continued analysis of programs and procedures.

No more than one school year after receipt of a grant the school district shall begin implementation of an educational effectiveness and fiscal efficiency system. At that time and annually for two years thereafter an evaluation of the system shall be conducted and an annual report shall be made to the citizens of the district and to the Superintendent of Public Instruction. Such reports shall include, but need not be limited to, the progress made in establishing the educational effectiveness and fiscal efficiency system, an analysis of the results indicated by operation of the system and a description of activity planned to correct the problems revealed by the system. Each annual report shall also include a review of the goals and objectives for the past year and any new goals and objectives adopted for subsequent years.

Where a school district receives a grant and operates one or more of its educational programs in cooperation with other school districts, they shall jointly develop and implement systems for determining the educational effectiveness and fiscal efficiency of that program or programs in accordance with the foregoing provisions.

Section 3. Awarding of grants. Applications for grants shall be made annually to the Office of the Superintendent of Public Instruction on forms provided by that office. The Superintendent and the Director of the Bureau of the Budget shall select applicants to receive grants and shall, insofar as possible, distribute grants to elementary, secondary and unit districts of diverse size and representative of every region of the State. Preference will be given to districts that have committed or are planning to commit additional local funds toward the development of such a system.

In determining the amount of each grant, the Superintendent of Public Instruction and the Director of the Bureau of the Budget shall give consideration to the size of the district and the extent to which the district has previously instituted procedures similar to those described in this Act.

Section 4. Reports. The Superintendent of Public Instruction shall, in cooperation with school districts participating under this Act, report annually to the General Assembly, the School Problems Commission and the Governor on the progress made in implementing this Act.

Section 5. Rules and Regulations. The Superintendent of Public Instruction in consultation with the Director of the Bureau of the Budget shall adopt such rules and regulations necessary to implement this Act.

Section 6. An appropriation of \$500,000, or so much thereof as may be necessary, is made to the Superintendent of Public Instruction for the purpose of administering and implementing this Act.

Section 7. This Act shall take effect July 1, 1972.

Since publication of this report in late 1972, the outcome of the pending laws for Illinois has been resolved.

Neither S.B. No. 1430 nor S.B. No. 1432 was enacted, but S.B. 1548 did become law.

INDIANA

The State of Indiana passed legislation in 1971 requesting a PPBS system, which is to be operational by 1977. No other legislation has been passed as of May, 1972.

PUBLIC LAW NO. 309 (H. 1408. Approved April 8, 1971)

AN ACT TO AMEND THE INDIANA CODE OF 1971, 20-1, BY ADDING A NEW CHAPTER, CONCERNING SCHOOL BUDGETARY PRACTICES.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 1971, Title 20, Article I, is amended by adding a new chapter, to be numbered 1.5 and to read as follows:

Ch. 1.5. State Board of Education: Commission on General Education.

Sec. 1. The Commission on General Education shall immediately make an analysis of a single unified system of budgetary preparation and accounting based upon the concept of the planning and program budget system.

Sec. 2. The Commission shall analyze such budgetary

system to determine whether it offers accurate and complete program and item data which allows ready comparison of educational program cost incurred in the several public school systems of the state.

Sec. 3. The Commission may contract with any competent consultation firm for any necessary study, analysis or design expertise not found within those agencies of the Department of Public Instruction.

Sec. 4. The Commission shall complete the analysis of such a system of programmed budgeting on or before July 1, 1976. After such date, the Commission shall establish a program of instruction for all local system administrators and other personnel who should be involved including local school budgetary officers so that the analysis and instruction program will be completed on or before July 1, 1977.

Sec. 5. All public school governing bodies in the state without exception shall adopt and fully and accurately implement the budgetary system established pursuant to this chapter whenever the general commission so determines after receipt of a recommendation of readiness from the consulting firm, but no later than July 1, 1977 in any event. Failure of any such system to adopt and fully and accurately implement such budgetary system shall constitute a violation of state law and the Commission shall immediately move to take such action as it deems appropriate.

MAINE

The State Department of Education is planning to ask for funds in the 1972 fall session to support an assessment program. On June 6, 1967, a Senate Resolution was passed which created a special joint interim committee of the legislature consisting of two senators and four representatives. The committee's responsibilities can be found in the replication of the bill, but the committee did not have the financial support to undertake the statewide evaluation of educational programs called for in the resolution.

RESOLUTION OF THE SENATE (June 6, 1967)

ORDERED, WHEREAS, public education is a decisive factor in the intellectual development and economic advancement of this State and the primary responsibility of its citizens; and

WHEREAS, expenditures for public education continue to rise requiring additional revenue commitments with no foreseeable systematic approach toward establishing goals or priorities to meet the expansion of our educational effort; and

WHEREAS, a state-wide inventory and evaluation of our present educational system warranted and prerequisite to future investment of state funds; now, therefore, be it

ORDERED, the House concurring, that there is created a special joint interim committee of the 103rd Legislature, to consist of 2 Senators to be appointed by the President of the Senate, 4 Representatives to be appointed by the Speaker to the House, to develop a preliminary proposal for a comprehensive study of public education in the State of Maine at all levels subprimary through the twelfth grade. Said proposal to contain the recommendations of the Committee including, but not limited to the following areas of study: A determination of the purpose and direction of

public education and its costs, state goals, priorities in the expenditure of state and local funds, and recommending an equitable division of financing by state and local governments, and an analysis and evaluation of student population; physical plants; teacher and professional staffing, its preparation, proficiency, and utilization, school district organization; curriculum; guidance, special education for the mentally retarded, emotionally disturbed, the drop-outs, those otherwise handicapped and education for the adult; effective functioning of the State Board of Education and the Department of Education and the use of data processing.

The Committee shall have the necessary authority to carry out this order and to secure reports, documents and any other information concerning the proposed study; to hold hearings if necessary, to employ clerical staff assistance; to contact, select or engage professional consultant or consultants; to confer when and if deemed appropriate with staff members of the Department of Education and other state departments; with staff and members of appropriate federal commissions, departments and agencies and non-governmental research sources, for specific information; and be it further

ORDERED, that the members of the Committee shall serve without compensation, but shall be reimbursed for their expenses incurred in the performance of their duties under this order; and be it further

ORDERED, that there is appropriated to the Committee from the Legislative Appropriation the sum of \$1,000 to carry out the purposes of this order; and be it further

ORDERED, that the Committee submit its preliminary study proposal together with necessary findings and recommendation at the next special session of the 103rd Legislature or to the 104th Legislature as the Committee shall determine.

MARYLAND

Senate Bill No. 166, reproduced below, was passed in the 1972 legislative session of the Maryland State Legislature. The bill provides for a program of educational accountability for the public schools of Maryland. Members of the State Department of Education worked with legislators on this bill. Although the bill is to take effect July 1, 1972, funding will not be provided until July 1, 1973.

SENATE BILL NO. 166

The purposes of this Act are to provide for the establishment of educational accountability in the public education system of Maryland, to assure that educational programs operated in the public schools of Maryland lead to the attainment of established objectives for education, to provide information for accurate analysis of the costs associated with public education programs, and to provide information for an analysis of the differential effectiveness of instructional programs

(a) Education accountability program. The State Board of Education and State Superintendent of Schools, each Board of Education and every school system, and every school, shall implement a program of education accountability for the operation and management of the public schools, which shall include the following:

(1) The State Board of Education and the State Superintendent of Schools shall assist each local school board and school system in developing and implementing educational goals and objectives for subject areas including, but not limited to, reading, writing and mathematics.

(2) Each school, with the assistance of its local board of education and school system, shall survey the current status of student achievement in reading, language, mathematics, and other areas in order to assess its needs.

(3) Each school shall establish as the basis of its assessment, project goals and objectives which are in keeping with the goals and objectives established by its board of education and the State Board of Education.

(4) Each school, with the assistance of its local board of education, the State Board of Education and the State Superintendent of Schools, shall develop programs for meeting its needs on the basis of priorities which it shall set

(5) Evaluation programs shall concurrently be developed to determine if the goals and objectives are being met.

(6) Re evaluation of programs, goals and objectives shall be regularly undertaken.

(b) The State Department of Education shall assist the local boards of education in establishing this program by providing guidelines for development and implementation of the program by the local boards, and by providing assistance and coordination where needed and requested by those boards.

(c) Beginning on July 1, 1973, the State Board of Education, upon recommendation of the State Superintendent of Schools, shall include in its annual budget request such funds as it deems necessary to carry out the provisions of this Act.

(d) During January, 1975, and each January thereafter, the State Superintendent of Schools shall transmit to the Governor and to the General Assembly a report which includes, but is not limited to, documentation indicating the progress of the State Department of Education, the local boards of education and each school in the State toward the achievement of their respective goals and objectives and recommendations for legislation which the State Board of Education and the State Superintendent of Schools deem necessary for the improvement of the quality of education in Maryland.

Sec. 2. And be it further enacted, that this Act shall take effect July 1, 1972.

MASSACHUSETTS

The only legislation passed by the Massachusetts General Court which has relevance to assessment and accountability is the Willis Harrington Act, Chapter 572 of the Acts of 1965. This Act is some 500 pages long and the Department of Education is out of copies. Among the charges given the Department of Education in the Act is one which specifically requests the Commissioner to assess the conditions and efficiency of public and others schools throughout the Commonwealth. It is felt by the Department that this responsibility, while including descriptive and fiscal data, places major emphasis on the Department to report pupil achievement in terms of definable goals and learning

objectives. This passage is contained in a report published by the Department of Education in the Fall of 1970 entitled, Massachusetts Board of Education Priorities for 1971, The Results Approach to Education and Educational Imperatives. The Willis Harrington legislation also created the Massachusetts Advisory Council on Education, an independent research agency that is to conduct studies of the educational system and "recommend policies designed to improve the performance of all public education systems in the Commonwealth." No legislation has been passed in the 1972 session up to January 1973.

MICHIGAN

Enrolled House Bill No. 3886, passed by the Michigan State Legislature in the 1970 session, was requested by the Michigan Department of Education. It is possible that another bill may be introduced in the 1972 legislative session.

ENROLLED HOUSE BILL NO. 3886 (Enacted in 1970 session)

AN ACT TO PROVIDE FOR ASSESSMENT AND REMEDIAL ASSISTANCE PROGRAMS OF STUDENTS IN READING, MATHEMATICS, AND VOCATIONAL EDUCATION.

The People of the State of Michigan enact:

Sec. 1. A statewide program of assessment of educational progress and remedial assistance in the basic skills of students in reading, mathematics, language arts and/or other general subject areas is established in the department of education which program shall:

(a) Establish meaningful achievement goals in the basic skills for students, and identify those students with the greatest educational need in these skills.

(b) Provide the state with the information needed to allocate state funds and professional services in a manner best calculated to equalize educational opportunities for students to achieve competence in such basic skills.

(c) Provide school systems with strong incentives to introduce educational programs to improve the education of students in such basic skills and model programs to raise the level of achievement of students.

(d) Develop a system for educational self-renewal that would continuously evaluate the programs and by this means help each school to discover and introduce program changes that are most likely to improve the quality of education.

(e) Provide the public periodically with information concerning the progress of the state system of education. Such programs shall extend current department of education efforts to conduct periodic and comprehensive assessment of educational progress.

Sec. 2. (1) The statewide assessment program of educational progress shall cover all students annually at two grade levels in public schools.

(2) The department of education, hereinafter referred to as the department, shall develop and conduct the program, and may utilize the assistance of appropriate testing organizations and/or testing specialist. The program shall expand the current basic skills testing inventory in grades 4 and 7 coordinated by the department.

(3) The program shall assess competencies in the basic skills and collect and utilize other relevant information essential to the assessment program.

(4) Based on information from the program, students shall be identified who have extraordinary need for assistance to improve their competence in the basic skills.

(5) Information from the program shall be given to each school as soon as possible to assist it in its efforts to improve the achievement of students in the basic skills.

Sec. 3 (1) Based on information from the mathematics, reading and language arts assessment program, the department shall provide remedial assistance programs, as funds are made available by law to school districts to raise competencies in basic skills of students identified pursuant to subsection (4) of section 2. A funded program shall include but not be limited to the following components

(a) Diagnosis of each student's performance difficulties and the development of an instructional program best suited to his individual needs.

(b) Provision for selection, adaption and installation of instructional systems that take account of individual student needs.

(c) Provision for an evaluation of the program in order to identify changes needed to improve program effectiveness

(2) The department shall establish guidelines and specifications for the program components. The department shall provide technical assistance to each school district in its implementation of the guidelines and specifications. The department shall conduct such evaluation necessary to provide adequate information for the setting of guidelines.

(3) The department shall provide for preservice and in-service training of staff who would be involved in the school programs.

(4) The department with the cooperation of selected schools shall establish demonstration projects in basic skills

(5) A remedial assistance program shall be audited as part of its evaluation by an agency independent of the state department of education to facilitate the accountability of each school for its programs.

Sec. 4. A vocational education demonstration program is established in the department of education to develop, test and evaluate the following innovative programs:

(a) A vocational education assessment and counseling system using computer and other automated techniques.

(b) A new career development program to devise curricula and materials for new careers in the labor market.

Sec. 5. (1) The vocational education demonstration program shall be developed and tested in not more than 3 school districts. The department shall formulate plans and rules, select the demonstration districts and develop instruments for measurement of the program. Demonstration programs shall be operated in school districts during the 1971-72 school year.

(2) The department shall evaluate the program and recommend to the governor and the legislature a statewide vocational education assessment, counseling and evaluation program by December 31, 1972.

Sec. 6. The department shall promulgate rules necessary to carry out the provisions of this act, in accordance with and subject to the provisions of Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.313 of the Compiled Laws of 1948.

This act is ordered to take immediate effect.

NEBRASKA

The Nebraska State Legislature enacted Bill No. 959 May 5, 1969. In this bill, several additional duties are requested of the State Board of Education and the Department of Education. Only a relevant section of the bill is reproduced here, as it relates to the Department of Education's duties. This legislation was requested by the State Board and the Department of Education. Through its Commissioner, the Department of Education is to:

(d) Institute a statewide system of testing to determine the degree of achievement and accomplishment of all the students within the state's school systems, if it determines that such testing would be advisable, (e) prescribe a uniform system of records and accounting, or keeping adequate educational and financial records, for gathering and reporting necessary educational data, and for evaluating educational progress.

In addition to submitting an annual report to the Governor on the progress and needs of the schools, the State Board of Education is to:

(7) cause to be prepared and distributed reports designed to acquaint school district officers, teachers, and patrons of the schools with conditions and needs of the schools,

(8) provide for consultation with professional educators and lay leaders for the purpose of securing advice deemed necessary in the formulation of policies and in the effectual discharge of its duties;

(9) cause such studies, investigations, and reports to be made and such information assembled as is necessary for the formulation of policies, for making plans, for evaluating the state school program, and for the making of essential and adequate reports;

NEW JERSEY

The Governor of the State of New Jersey, in his message to the State Legislature on January 11, 1972, asked the Commissioner of Education and the State Board of Education "to institute a statewide testing program with emphasis on reading abilities for all public schools commencing in the 1972-73 school year. The testing program will be conducted annually at appropriate grade levels to be determined by the Commissioner. The test results will be combined and compared with other important data to provide a comprehensive body of information about education needs throughout the state."

Accordingly, Assembly Bill No. 822 was introduced on March 13, 1972 to carry out the Governor's request. The bill still remains in the Assembly and a fiscal note has been requested. No funding has been attached at this time.

ASSEMBLY, NO. 822 (Introduced March 13, 1972)

AN ACT CONCERNING EDUCATION AND AMENDING
N.J.S. 18A:4-24

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. N.J.S. 18A:4-24 is amended to read as follows:

18A:4-24. The commissioner shall inquire into and ascertain the thoroughness and efficiency of operation of the schools of the public school system of the State and of any grades therein by such means, uniform Statewide tests and examinations of achievement in reading and mathematics as prescribed by the State board, and he shall report annually to the Legislature and the State board the results of such inquiries, tests and examinations, related to national norms per grade and such other information with regard thereto as the State board may require or as he shall deem proper, but nothing in this section shall affect the right of each district to prescribe its own rules for promotion.

2. This act shall take effect immediately.

The above pending bill for New Jersey was not enacted by the 1972 New Jersey Legislature. It is not expected to be reintroduced because most of the features in the bill are in the process of being carried out.

Senate Bill No. 2233 was enacted in May of 1971, however, a bill that was not in the SEAR file at the time the report was first published. This bill requires a performance evaluation of an intern to determine his/her competence to teach before being issued an initial teaching certificate.

SENATE BILL NO. 2233
(Enacted May 20, 1971)

An Act concerning education and the development of performance evaluation to determine the criteria necessary

for an individual to demonstrate his competence to teach before being issued an initial teaching certificate in the State of New Jersey and supplementing Title 18A of the New Jersey Statutes, and making an appropriation therefor.

Be it enacted by the Senate and General Assembly of the State of New Jersey:

1. The Commissioner of Education and the State Board of Education shall have the authority and responsibility under this act to plan, establish, and operate a Statewide performance evaluation project. This project, through voluntary cooperation among local school districts, teacher training institutions, professional educational organizations, and the State Department of Education, shall concentrate on developing criteria for professional teaching competence based on performance evaluation prior to the issuance of initial teaching certificates.

2. This project:

a. shall identify the skills, attitudes, and other such pertinent data as the participating groups deem essential for an individual to demonstrate before being issued an initial teaching certificate;

b. shall determine the method or methods of evaluation of the performance of each candidate for an initial teaching certificate;

c. shall recommend to the commissioner and to the State Board of Education the minimum standards which an individual must achieve in order to be issued an initial teaching certificate; and

d. shall procure and use Federal and private resources in combination with State resources to attain State educational goals.

3. The Commissioner of Education shall, with the approval of the State Board of Education, promulgate rules and regulations, establish procedures, employ personnel, and take all other necessary steps to insure the implementation of the provisions of this act.

4. Pursuant to the objectives of this act, the State Department of Education may seek the cooperation and involvement of other State agencies.

5. There is hereby appropriated to the Department of Education the sum of \$90,000.00 to carry out the purposes of this act for the period ending on June 30, 1972. Such amounts of this appropriation as approved by the State Board of Education may be allocated to the Department of Education for such purposes as will insure the effective administration and evaluation of the provisions of this act.

6. This act shall take effect immediately.



NEW MEXICO

Two pieces of legislation were enacted by the State Legislature of New Mexico, -Chapter 180, Laws of 1969, and Senate Memorial No. 40 in the 1971 session. No legislation was enacted in the 1972 session which has adjourned.

CHAPTER 180, LAWS OF 1969 (Approved April 2, 1969)

Be it enacted by the Legislature of the State of New Mexico: . . .

Assess and evaluate for accreditation purposes at least one-third of all public schools each year through visits by department personnel to investigate the adequacy of pupil gain in standard required subject matter, adequacy of pupil activities, functional feasibility of public school and school district organization, adequacy of staff preparation, and other matters bearing upon the education of qualified students:

Require a report from each school district by August 1 of each year which indicates by fact what effect the current distribution formula and other financial arrangements have had on educational program operations and student progress during the prior year, and what changes, if any, are needed. The state board shall evaluate each report, consolidate findings and present a state report with recommendations to the ensuing legislative session.

SENATE MEMORIAL 40 (January, 1971)

Requesting the state board of education to organize educational evaluation committees in the various school districts of the state that have no current evaluation procedures.

WHEREAS, the Senate of the State of New Mexico is vitally interested in the quality of education that children receive in the state's public schools; and

WHEREAS, public school officials have indicated that there are no funds to conduct a comprehensive evaluation of our public schools; and

WHEREAS, the Senate of the State of New Mexico feels that concerned citizens, parents and teachers in each community are the ones who can best analyze the performance, effectiveness and needs of local schools; and

WHEREAS, the Governor of the State of New Mexico has expressed his support for an evaluation of school districts; and

WHEREAS, several school districts have already begun local evaluations of the type described in this memorial;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NEW MEXICO that:

A. The State Board of Education is requested to organize Educational Evaluation Committees in the various

school districts in the state that have no current evaluation procedures or mechanisms, and in the organization of the committees the following guidelines are to be followed:

(1) each school district shall have one Educational Evaluation Committee;

(2) the State Board of Education shall act as the supervising authority for the district Educational Evaluation Committees and shall prepare guidelines and policy statements for them;

(3) district Educational Evaluation Committees shall each consist of ten members, no more than two of whom shall be teachers within the district, and the remainder of which shall be parents or concerned citizens residing in the school district but having no position of responsibility within the public school system in the district; and

(4) district educational evaluation committee members shall be appointed by the Governor from one list of interested parents and citizens and from another list of teachers, both lists to be submitted by the teachers and school administrators in the school district.

B. The duties of the Educational Evaluation Committees shall be to:

(1) visit schools in the community during their usual operation;

(2) observe the physical plants and educational facilities in the school district;

(3) conduct open discussions at public meetings or all issues relevant to the schools for each grade level;

(4) consult extensively with teachers, school administrators, district school board members, State Department of Education officials and local citizens concerning the most fruitful directions for education in the respective districts;

(5) prepare a list of long and short range objectives for elementary and secondary schools, recommend ways for implementing these objectives and formulate measurements for the achievement of these objectives;

(6) prepare an extensive account of the activities and inputs of the Educational Evaluation Committees;

(7) prepare a general statement on the measured effectiveness of public school education and the use of state funds in the school district; and

(8) transmit the foregoing documents and all important findings to the local school board, the Governor, the State Superintendent of Public Instruction and the Legislative School Study Committee.

BE IT FURTHER RESOLVED that the Educational Evaluation Committees proposed in this memorial shall in no way hinder the work of any state agency or committee concerned with public education, but the Committees shall, whenever possible, assist state agencies and committees; and

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the local school boards, the Governor, the State Superintendent of Public Instruction and the Legislative School Study Committee.

New Mexico's Public School Code contains legislation enacted in 1967 that requests the Public School Finance Division to compile and publish a manual of accounting and budgeting for all public schools and school districts of the state.

CHAPTER 16, S. 59
(Enacted 1967)

77-6-5. Manual of accounting and budgeting. A. The division shall compile and publish a manual prescribing

detailed regulations for a uniform system of accounting and budgeting of funds for all public schools and school districts of the state. The manual of regulations and any revision or amendments thereto shall become effective only upon approval by the legislative finance committee, filing with the Supreme Court law librarian and publication.

B. All public schools and school districts shall comply with the regulations prescribed in the manual of accounting and budgeting and shall, upon request, submit additional reports concerning finances to the division.

OHIO

The Ohio State Legislature enacted legislation in January 1972 requesting an MIS system and an accountability program. No funds were appropriated for the development of these projects.

HOUSE BILL NO. 475

Section 8. The state department of education shall develop a comprehensive system for providing educational management information and accountability capabilities. The system shall be designed for eventual implementation on a state-wide basis and shall utilize the technology of the computer and related systems concepts. Developmental work by the department shall utilize pilot school districts and shall strive, with regard to all public and nonpublic elementary and secondary schools in the state, to (1) define those measurable objectives for which each facet and level of public education is to be held accountable; (2) identify pertinent data elements and devise methods and systems for fairly, accurately and uniformly measuring and reporting

the extent to which the defined objectives are met; (3) develop uniform files, methods and systems for collecting, processing, sorting and analyzing data which will permit identification of those factors in the teaching-learning process which have the greatest relevance to student performance; (4) develop uniform accounting methods and systems which will relate the cost and the efficiency of those factors to the learning outcome; and (5) develop uniform systems of reporting the findings of the program to all interested persons.

The department may employ additional personnel and may contract with such experts and consultants as it deems necessary to carry out the duties imposed upon it by this section. The department shall submit to the general assembly on or before June 30, 1972, a report on its progress in meeting the goals of the accountability program as herein expressed. It shall submit a final, complete program and report to the general assembly on or before June 30, 1973 along with recommendations for complete implementation and maintenance of an ongoing educational management information and accountability system.

OREGON

Effective July 1, 1971, the Oregon State Legislature enacted into law Senate Bill No. 131 relating to teacher tenure. Sections Nos. 1 and 5 in the bill are new sections that request an annual evaluation of performance for each teacher employed by a district with more than 500 students.

SENATE BILL NO. 131 (Effective July 1, 1971)

Section 1. In order to allow the school districts of the state to take full advantage of various professional skills and disciplines not directly developed through teaching experience or professional education for which teaching experience is a prerequisite, it is the public policy of the State of Oregon that the state board, in establishing professional requirements and experience under ORS 342.140, shall consider professional skills, education and experience not directly related to, nor contingent upon, teaching experience or training as a classroom teacher. . . .

Section 5. (1) The district superintendent of every common and union high school district having an average daily membership . . . of more than 500 students in the

district shall cause to have made at least annually an evaluation of performance for each teacher employed by the district in order to allow the teacher and the district to measure the teacher's development and growth in the teaching profession. A form shall be prescribed by the State Board of Education and completed pursuant to rules adopted by the district school board. The person or persons making the evaluations must hold teaching certificates. The evaluation shall be signed by the school official who supervises the teacher and by the teacher. A copy of the evaluation shall be delivered to the teacher.

(2) The annual evaluation reports shall be maintained in the personnel files of the district.

(3) The annual evaluation report shall be placed in the teacher's personnel file only after reasonable notice to the teacher. Any explanation relating to the evaluation which the teacher desires to make shall be placed in the personnel file.

(4) The personnel file shall be open for inspection by such teacher but shall be open to such other persons as are officially designated by the board or by the teacher, in accordance with such rules and regulations as the board shall adopt.

PENNSYLVANIA

The School District Reorganization Act of 1963 was enacted by the Pennsylvania State Legislature, and was the basis for the Pennsylvania Plan for the Assessment of Educational Quality. This Plan has been funded through the years, but not in the amount requested which was approximately \$1,000,000 annually. About a quarter of the amount requested has been appropriated. No other legislation has been passed up to May 1972.

Section 290.1 of the Act of 1963 requires the State Board of Education to:

Develop or cause to be developed an evaluation procedure designed to measure objectively the adequacy and efficiency of the educational programs offered by the public schools of the Commonwealth. The evaluation

procedures to be developed shall include tests measuring the achievements and performance of students pursuing all of the various subjects and courses comprising the curricula. The evaluation procedures shall be so constructed and developed as to provide each school district with relevant comparative data to enable directors and administrators to more readily appraise the educational performance and to effectuate without delay the strengthening of the district's educational program. Tests developed under the authority of this section to be administered to pupils shall be used for the purpose of providing a uniform evaluation of each school district and the other purposes set forth in this subdivision. The State Board of Education shall devise performance standards upon completion of the evaluation procedure required by this section.

RHODE ISLAND

Legislation enacted in 1969 by the Rhode Island General Assembly reorganized their State Department of Education and established one Board for all education. Among the duties of the Board is one for defining Board goals and objectives for all levels of education in the state. Pertinent sections of this bill are provided below, as well as an amended section of Chapter 16-22 of the General Laws requesting a testing program. A bill is being drafted for the January 1973 session to clear up ambiguities which exist in Chapter 49, S. 16 of the Board of Education bill.

CHAPTER 49, S. 16

16-49-5. Board of regents for education—Powers and duties.— The board of regents for education shall have in addition to those enumerated in 16-49-1, general laws of Rhode Island, 1956, as amended, the following powers and duties:

(1) To create and implement a systematic program of information gathering, processing, and analysis addressed to every level, aspect and form of education in this state especially as that information relates to current and future educational needs so that current needs may be met with reasonable promptness and plans formulated to meet future needs as they arise.

(2) To establish a master plan defining broad goals and objectives for all levels of education in the state; elementary, secondary and higher. These goals and objectives shall be expressed in terms of what men should know and be able to do as a result of their educational experience. The regents shall continuously evaluate the efforts and results of education in the light of these objectives.

(3) To formulate board policy to implement the goals and objectives established by the regents from time to time; to establish and enforce standards and to exercise general supervision over all public education in the state and over nonpublic education in the state as provided hereinafter in subsection (8) of this section. The board of regents, however, shall not engage in the operation or administration of any subordinate board, university, college, junior college, local school district, school, school service or school program, except its own department of education. The preparation and submittal of the budget and the allocation of appropriations, the acquisition, holding, disposition and general management of property shall not be construed to come within the purview of foregoing prohibition. The regents shall communicate with and seek the advice of those concerned with and affected by its

determinations as a regular procedure in arriving at its conclusions and in setting its policy.

(4) To allocate and coordinate the various education functions among the educational agencies of the state and local school districts and to promote co-operation among them so that maximum efficiency and economy shall be achieved.

(5) To prepare and to present annually to the state budget officer in accordance with 35-3-4 of the general laws of Rhode Island, 1956, as amended, a total state educational budget which shall include, but not be limited to, the budgets of the department of education, subordinate boards and agencies, the budget of state colleges and state aid to local school districts. In the preparation of said budget, and in the allocation of its total appropriation, the regents shall determine priorities of expenditures for education purposes of state revenues and other public resources made available for the support of public education among the various education agencies of the state, provided that nothing in this subsection contained shall authorize the regents to alter the allocation of grants or aid otherwise provided by law.

(6) To establish a department of education, to provide for its staffing and organization and to appoint as its chief executive officer and as chief administrative officer of said department, a commissioner of education who shall serve at its pleasure. The commissioner of education and the department of education shall have such duties and responsibilities as may be assigned by the regents. . . .

9(j) To adopt and require standard accounting and auditing procedures for local school districts.

CHAPTER 16-22 (Amended in 1963)

Section 1. Chapter 16-22 of the general laws, entitled "Curriculum", as amended, is hereby further amended by adding thereto the following section:

"16-22-9. Uniform testing.— The commissioner of education shall establish a program and provide materials for uniform aptitude and intelligence testing of all pupils in elementary and secondary schools in this state. All pupils attending public schools, and all pupils attending elementary and secondary schools approved in accordance with the provisions of the general and public laws of the state of Rhode Island shall be administered tests under the supervision of the state department of education in accordance with said program."

SOUTH DAKOTA

Statutes governing the Teachers Professional Practices Act include the evaluation of teachers. A Professional Practices Commission was created by Chapter 62, Session Laws of 1969 (amended in 1970 and 1971), among whose duties are "the adoption of measures governing the preparation, evaluation, and motivation for continued professional competence in the teaching profession." The seven members of the Commission are appointed by the Governor for varying lengths of terms. The details of the bill are cited below:

TEACHERS PROFESSIONAL PRACTICES ACT (Enacted in 1969, 1970 and 1971)

13-43-16. Declaration of teaching as profession—persons included in teaching profession. The Legislature of the state of South Dakota hereby declares teaching to be a profession. It is declared to be in the interest of the state that such profession be recognized and that the profession accept its responsibilities in the development and promotion of standards of ethics, conduct, performance, preparation, and practices. For the purpose of sections 13-43-16 to 13-43-30, inclusive, the teaching profession shall include those persons certificated by the state superintendent of public instruction as teachers, administrators, and other specialists employed in public, federal, and private schools; education associations, and state agencies and political subdivisions charged with responsibility in the field of education.

Source: Ch. 104, SL 1970

13-43-17. Professional practices commission—creation—number and qualifications of members. There is hereby created the South Dakota professional practices commission which shall consist of seven members:

(1) Three representatives who shall be employed as full-time classroom teachers, two of whom shall be classroom teachers. None of the representatives under this subdivision shall be school administrators.

(2) One representative of the state board of education, who must be a member of said board;

(3) One representative who shall be duly elected as a school board member in his independent school district which offers an approved twelve-year program of education;

(4) One representative who shall be employed as the chief administrator of an independent school district offering an approved twelve-year program of education;

(5) One representative who shall be employed as a full-time elementary or secondary principal.

Source: Ch. 127, SL 1971

13-43-18. Appointment of members of professional practices commission—Terms. The seven members of the

professional practices commission shall be appointed by the Governor in a manner to be designated by the Governor. Initially, two members shall be appointed for terms of three years each, two members, for terms of two years each, and one member, for a term of one year, initial appointments of additional members shall be for such terms of years as is necessary so that the terms of no more than three members expire in any one year, thereafter the terms of all members shall be three years. No member of the commission may succeed himself more than once and subsequent appointments to the commission shall be made in a manner to be designated by the Governor.

Source: Ch. 127, SL 1971

13-43-19. Vacancies on professional practices commission—removal of members. Vacancies on the professional practices commission shall be filled by the Governor for the balance of any unexpired term. Members may be removed by the Governor for cause.

Source: Ch. 62, SL 1969

13-43-20. Election of officers of professional practices commission—adoption of rules and regulations. The professional practices commission shall elect from its membership a chairman, a vice-chairman, and other such officers as the commission shall determine and shall adopt rules and regulations to govern its proceedings and the implementation of the provisions of sections 13-43-16 to 13-43-30, inclusive.

Source: Ch. 62, SL 1969

13-43-21. Meetings of professional practices commission. The professional practices commission shall meet on call of the chairman who, however, must call a meeting upon request of four of the members.

Source: Ch. 62, SL 1969

13-43-22. Compensation and travel allowance for members of professional practices commission. Each member of the professional practices commission shall, when performing commission business, receive compensation at the same rate as the members of the state board of education and travel allowance as set by the state board of finance for state employees.

Source: Ch. 62, SL 1969

13-43-23. Administrative expenses of professional practices commission. All expenses incurred by the professional practices commission in administering the provisions of sections 13-43-16 to 13-43-30, inclusive, shall be paid from the state institute fund created by section 13-42-5 and

section 13-44-5, provided however, that such annual expenses shall be limited to an amount not to exceed two-thirds of the annual amount collected for teacher certification fees.

Source: Ch. 127, SL 1971

13-43-24. Local professional practices committee—establishment in independent school district—members. Every independent school district is hereby authorized and directed to establish from its own teachers, administrators, and school board members a local professional practices committee which shall be constituted as follows:

(1) Two teachers selected by the teachers, one of whom shall be a classroom teacher. Neither of the persons under this subsection shall be a school administrator.

(2) One member of the administrative staff selected by the administrators, and

(3) Two members of the school board selected by the board.

Source: Ch. 127, SL 1971

13-43-25. Rules and regulations of professional practices commission. The professional practices commission shall have the power to make such rules and regulations, not inconsistent with the laws of this state, as may be necessary for the protection of the public and consistent with the provisions of sections 13-43-16 to 13-43-30, inclusive, and chapter 1-26. Included therein, without specific limitation thereof, shall be the power to make rules and regulations as follows:

(1) To ensure proper and effective enforcement and administration of sections 13-43-16 to 13-43-30, inclusive;

(2) To adopt a code of professional ethics for the teaching profession in this state; provided, however, that such code shall not establish standards for minimum salaries or other compensation benefits for the teaching profession;

(3) To adopt measures governing the preparation, evaluation, and motivation for continued professional competence in the teaching profession.

The state board of education, attorney general, and the state superintendent of public instruction shall cooperate with and assist the commission when requested to do so by the commission.

Source: Ch. 104, SL 1970

Source: Ch. 127, SL 1971

13-43-25 1. State officials to assist commission. The state board of education, attorney general, and the state superintendent of public instruction shall co-operate with and assist the commission when requested to do so by the commission.

Source: Ch. 127, SL 1971

13-43-26. Standards, criteria, and procedures for evaluation of and rating of teachers. The professional practices

commission is hereby authorized and directed, prior to January 1, 1970, to enter into a comprehensive review and evaluation of, and to establish and promulgate standards, criteria, and procedures for the evaluation of the professional performance of classroom teachers in the elementary and secondary schools of the independent school districts of the state. The commission may provide flexible ways by which to judge performance adapted to varying local communities and differences in individuals utilizing not only experience and academic achievements but also any other factors bearing on performance, while at the same time protecting against incompetence.

The standards, criteria, and procedures promulgated hereunder shall provide clear guidelines for the evaluation and rating of teachers. The commission shall develop standards and criteria upon which, for reasons established through adequate supervisory procedures, the local professional practices committee may make a recommendation regarding the employment relationship of the teacher to the district.

Source: Ch. 127, SL 1971

13-43-27. Policy statement of independent school board on supervision and evaluation procedures. Every independent school board following the local professional practices committee's study of the commission's promulgation of the standards, criteria, and procedures shall adopt a policy statement on supervision and evaluation.

Every local professional practices committee shall prepare and submit to the state commission a written feasibility study report for a merit pay and incentive pay system for teachers. Such merit pay and incentive pay may be reflected in the contract for the teacher who has been recommended for such pay.

Source: Ch. 127, SL 1971

13-43-28. Reprimands or disciplinary actions for violations of code of ethics or standards of practice—procedure by professional practices commission. After notice and hearing in the same manner as provided in Title 15, the professional practices commission shall have authority to reprimand or to recommend a disciplinary action which shall be implemented by the appropriate governing body against a member of the teaching profession when such member shall have been determined by the commission to have violated the code of ethics or standards of practice established under sections 13-43-25 to 13-43-27, inclusive, to issue subpoenas, to require the attendance of witnesses, to require the production of written material and records, to administer oaths, to examine witnesses, and to take any evidence it deems pertinent to a proper determination of the charge.

Source: Ch. 104, SL 1970

13-43-29. Reprimands or disciplinary actions—right of member to counsel and subpoenas for witnesses. The

member charged by the professional practices commission shall have the right to be represented by counsel and the right to obtain from the commission subpoenas for witnesses such member may desire at such hearing. Depositions may be taken and used at such hearing as are taken and used in the circuit courts of this state. Witnesses so subpoenaed shall receive the same fees as witnesses in the circuit courts of this state.

Source: Ch. 62, SL 1969

13-43-30. Appeal by member reprimanded or disciplined.— Any member reprimanded or disciplined by the professional practices commission shall have the right to appeal as provided by chapter 21-33.

Source: Ch. 62, SL 1969

VIRGINIA

Section 2, Article VIII of the Constitution of Virginia became effective July 1, 1971. It called for the development of "standards of quality" for the several school divisions in the state by the State Board of Education. Section 2 states that:

standards of quality for the several school divisions shall be determined and prescribed from time to time by the State Board of Education, subject to revision only by the General Assembly.

The State Department of Education considered the Act to be a mandate for educational accountability and accordingly developed and adopted a set of standards of quality on August 7, 1971.

During the 1972 legislative session, the General Assembly enacted into law an Act (H 845) which followed, with some revisions, the standards of quality adopted by the State Board. The Act specifies that certain planning and management standards and objectives and pupil performance objectives be achieved. Portions of this Act are quoted as follows:

AN ACT TO REVISE CERTAIN STANDARDS OF QUALITY FOR THE SEVERAL SCHOOL DIVISIONS DETERMINED AND PRESCRIBED BY THE BOARD OF EDUCATION AND TO SPECIFY CERTAIN OBJECTIVES FOR THE BOARD OF EDUCATION AND LOCAL SCHOOL BOARDS.

Be it enacted by the General Assembly of Virginia:

S. 1. That the standards of quality for public schools in Virginia, as determined and prescribed by the Board of Education, are revised as follows: . . .

Planning and Management Standards

1. The School Board shall adopt policies which guide the total operation of the school division toward established objectives.

2. The superintendent shall prepare a policy manual in cooperation with school division personnel.

3. The superintendent shall develop the capability, procedures, and organizational structure to enable the school division to plan for future needs.

4. The superintendent shall involve the community and his staff in the preparation of a five-year plan, which shall be updated annually. Such a plan shall be based on a study of the extent to which pupils are achieving the eight broad objectives formulated by the Board of Education and shall be designed to raise the level of pupil performance. This plan shall be reviewed and approved by the School Board and submitted to the State Superintendent of Public Instruction for approval by the Board of Education.

5. The superintendent shall prepare and present to the School Board an annual plan to achieve specific objectives of the approved five-year plan as part of the annual

operating and capital outlay budgets.

6. The superintendent shall, as directed by the Board of Education, make annual follow-up studies of former students (dropouts and graduates) who enter employment or who continue their education beyond high school as a means of assessing the effectiveness of the school program.

7. The superintendent and his staff shall provide an effective program of instructional supervision and assistance to principals and teachers that is consistent with the objectives of the school division.

8. The superintendent and his staff shall provide for the cooperative evaluation of central office personnel and principals and shall provide assistance to principals in the cooperative evaluation of teachers and other school employees.

The standards of quality prescribed above, as herein revised, and made effective, shall alone be the only standards of quality required by Article VIII, Section 2 of the Constitution of Virginia.

S. 2. In addition to the standards of quality revised, and made effective as prescribed above, the State and local school divisions shall undertake to achieve the objectives set out below. Annual reports will be prepared by the Board of Education to show the progress being made throughout the State to meet these objectives. The Board of Education is directed and shall have the authority to promulgate rules and regulations necessary to implement these objectives.

Performance Objectives State

1. A number of pupils equal to at least seventy percent of the pupils who entered the first grade twelve years earlier should be graduated from high school.

2. The percentage of the school population coverage in the elementary grades should not exceed twenty percent of the enrollment in grades K-7.

3. The percentage of the student population achieving at or above grade level norms or the equivalent as measured by approved standardized achievement tests should equal or exceed the mean ability level of the student population as measured by appropriate scholastic aptitude tests.

4. At least thirty-one thousand, seven hundred fifty five-year-old children in the State should be enrolled in kindergarten.

5. At least one hundred thirty thousand pupils should be enrolled in summer programs.

6. At least fifty thousand eligible children should be enrolled in special education programs.

7. At least one hundred thirty-five thousand adults should be enrolled in continuing education programs.

8. At least seventy percent of the high school graduates should continue their education in programs provided by colleges and by schools such as business, nursing, data processing, and trade and technical.

9. At least ninety percent of the teachers should be assigned to teach only those subjects for which they have certificate endorsements.

10. At least twenty-three percent of the teachers should hold advanced degrees.

School Division

1. High school graduates expressed as a percent of the first grade enrollment twelve years earlier should increase by at least three percent each year or until a level of seventy percent is reached. Appropriate adjustments will be made for school divisions with significant increases or decreases in school population.

2. The percentage of the school population coverage in grades K-7 should be reduced by at least two percent each year or until a level not exceeding twenty percent is reached.

3. The percentage of the student population achieving at or above grade level norms or the equivalent as measured by approved standardized achievement tests should equal or exceed the mean ability level of the student population as measured by appropriate scholastic aptitude tests.

4. The percentage of teachers holding advanced degrees should increase by at least two percent each year or until at least twenty-three percent of the teachers hold such degrees. Work toward advanced degrees should be in the subject area to which the teacher is assigned.

5. The percentage of attendance of pupils shall not fall below the average of the last three years or ninety percent of school membership.

6. Teachers shall be assigned to teach only those subjects for which they have certificate endorsements unless exceptions are granted by the Board of Education.

Planning and Management Objectives

1. Individual School Planning and Management (Principal and Staff).

In accordance with local policies and regulations, the principal shall be responsible for discharging the following major duties:

a. The principal shall involve the community and his staff in the preparation and implementation of an annual school plan, which shall be consistent with the division-wide plan and which shall be approved by the division superintendent.

b. The principal shall develop a school handbook of policies and procedures which are in compliance with and which implement division policies.

c. The principal shall coordinate the services of all persons who work in the school to provide a healthful, stimulating school environment and an efficient and effective operation.

d. The principal shall assign pupils to classes, programs, and activities that are designed to promote maximum learning. All pupils whose achievement is below a level commensurate with their scholastic aptitude should be diagnosed for learning disabilities and appropriate instruction should be prescribed.

e. The principal shall ensure that instructional materials and equipment are used to provide learning experiences that are compatible with the educational needs of pupils.

f. The principal and his staff shall establish methods of evaluating the progress of individual students and the effectiveness of the instructional program in each classroom and in the school as a whole.

g. The principal shall provide direct instructional super-

vision and assistance to teachers to help them meet the standards for classroom planning and management and shall utilize available supervisory and other consultant personnel as needed to ensure an effective instructional program in the school.

h. The principal and his staff shall provide for the cooperative evaluation of the teachers and other employees in his school. The evaluation of teachers shall be based on the standards for Classroom Planning and Management.

2. Classroom Planning and Management (Teacher)

In accordance with local policies and regulations, the teacher shall be responsible for discharging the following major duties:

a. The teacher shall provide for the humanizing of instruction in the classroom. To accomplish this, the teacher should:

(i) Know the academic strengths and weaknesses of each child;

(ii) Know the home and community environment of each child;

(iii) Treat each child as an individual in accordance with his needs;

(iv) Understand and appreciate each child as an individual of worth; and

(v) Help each child to recognize his potential, to develop his abilities, and to assume his responsibilities as a member of the group.

b. The teacher shall provide for individual differences in the classroom. To accomplish this, the teacher should:

(i) Provide different subject matter and learning experiences and have different achievements standards for individuals with different abilities and/or past achievements; and

(ii) Provide opportunities for pupils to work independently on meaningful tasks that derive from and contribute to the planned activities of the group.

c. The teacher shall make use of available instructional materials and other resources that are appropriate to the needs of the pupils. To accomplish this, the teacher should supplement the textbook and make appropriate use of:

(i) Additional reading materials, such as library books and reference materials, magazines, and newspapers;

(ii) Educational television and other audio-visual aids;

(iii) Demonstrations, dramatizations, and other classroom activities;

(iv) Field trips;

(v) Resource persons and school-related youth organizations; and

(vi) Individual and group projects, in or out of school.

d. The teacher shall organize learning activities to achieve specific objectives which should include:

(i) The development of needed skills;

(ii) The understanding of specific concepts;

(iii) The solution of meaningful problems; and

(iv) The development of wholesome attitudes.

e. The teacher shall provide a favorable psychological environment for learning. To accomplish this, the teacher

should:

(i) Develop and use questioning techniques that require pupils to employ the higher cognitive processes as well as to demonstrate retention and comprehension;

(ii) Encourage pupils to express their ideas in group discussions; and

(iii) Involve pupils in planning and conducting class activities under the guidance and direction of the teacher.

The teacher shall evaluate the progress of students. To

do this, the teacher should:

(i) Emphasize the application of knowledge to new situations;

(ii) Include achievement in all areas of instruction, habits of work, attitudes, personal traits, and group relationships; and

(iii) Help each pupil to develop the ability to evaluate his own progress and to involve him in the evaluation process

WASHINGTON

The Washington Legislature amended its General Provisions for Teachers law to include evaluative criteria and procedures for certificated employees. This legislation was enacted in September of 1969.

28A.67.065 Evaluative criteria and procedure for certificated employees—Requirements. Every board of directors, in accordance with procedure provided in RCW 28A.72.030, shall establish an evaluative criteria and procedures for all certificated employees. Such procedure

shall require not less than annual evaluation of all employees. New employees shall be evaluated within the first ninety calendar days of their employment. Every employee whose work is judged unsatisfactory shall be notified in writing of stated areas of deficiencies along with recommendations for improvement by February 1st of each year. A probationary period shall be established from February 1st to April 15th for the employee to demonstrate improvement.

WISCONSIN

Legislation was mandated by the Wisconsin State Legislature during the 1971 legislative session. No funds were appropriated for the educational assessment, at the time of passage of the legislation. In July 1972, \$26,000 was allocated for the first year's planning activities by the Board of Government Operations.

CHAPTER 125, LAWS OF 1971

S. 443. 115.28 (10). Educational Assessment. Develop an

educational assessment program to measure objectively the adequacy and efficiency of educational programs offered by public schools in this state. The program shall include, without limitation because of enumeration, methods by which pupil achievement in fundamental course areas, as set forth in s. 118.01 (1), and other areas of instruction commonly offered by public schools, will be objectively measured each year. Assessment shall be undertaken at several grade levels on a uniform, statewide basis.

Copies may be obtained from:

COOPERATIVE ACCOUNTABILITY PROJECT

Colorado Department of Education

1362 Lincoln Street

Denver, Colorado 80203

OR

STATE EDUCATIONAL ACCOUNTABILITY REPOSITORY

Wisconsin Department of Public Instruction

126 Langdon Street

Madison, Wisconsin 53702