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February 26, 1998

Hon. Daniel E. Lungren
Attorney General
1300 I Street, 17th Floor
Sacramento, California 95814

Attention: Ms. Connie Lemus
Initiative Coordinator

Dear Attorney General Lungren:

Pursuant to Elections Code Section 9005, we have reviewed the proposed initiative cited as the "Grade One Through Eight Requirement for Grade Advancement" (File No. SA 98 RF 0003).

Background

Current state law contains no minimum requirements that students in grades one through eight must meet in order to advance to the next grade. Instead, individual school districts determine their own policies regarding advancing students to higher grades. In some cases, schools require students to repeat a grade before advancing to the next one.

Description of the Measure

This measure prohibits school districts from advancing students in grades one through eight to the next grade if any of the following conditions apply:

- A student fails (earns a grade below "D") more than 40 percent of his or her classes during the academic year.

- A student fails either English or mathematics two years in a row.

The measure would require students to repeat a given grade until they pass the necessary classes so that none of these conditions apply.

The measure makes individual schools responsible for establishing grading policies and standards. In addition, individual schools would decide if students designated as “special education” students were subject to the measure’s provisions. The measure’s requirements would be in addition to any other local, state, or federal regulations regarding grade advancement.

Fiscal Effect

The measure would increase state costs for K-12 education to the extent that it causes additional students to repeat grades one through eight. Because the minimum funding guarantee under the California Constitution for K-14 education is determined, in part, on the number of students in kindergarten through grade 12, requiring students to repeat grades would increase the required level of K-14 spending.

The actual fiscal impact would depend primarily on the grading policies adopted by schools. Even a small increase in the number of students repeating classes, however, could result in major costs statewide—potentially in the tens of millions of dollars to hundreds of millions of dollars annually.

Summary of Fiscal Effects. The measure’s major fiscal effect is:

- Long-term state school costs in the tens of millions of dollars to hundreds of millions of dollars annually due to increases in the number of students repeating grades one through eight.

Sincerely,

Elizabeth G. Hill
Legislative Analyst

Craig L. Brown
Director of Finance