

SENATE THIRD READING
SB 1067 (Weber Pierson)
As Amended August 17, 2026
Majority vote

SUMMARY

Requires local educational agencies (LEAs) to annually assess, beginning in the 2028-29 school year, the mathematical knowledge and learning needs of kindergarten, 1st, and 2nd grade students using a diagnostic assessment. Requires the State Board of Education (SBE) to approve criteria for diagnostic assessments, considering specified factors, by July 31, 2027. Requires the California Department of Education (CDE) to post on its website a list of assessments that meet the SBE-developed criteria, from which LEAs must then select, by January 31, 2028.

Major Provisions

- 1) Requires the SBE, by July 31, 2027, to *approve* criteria and guidance for diagnostic assessments that LEAs can use to assess students in kindergarten, 1st, and 2nd grades for math knowledge. Specifies that kindergarten does not include transitional kindergarten.
 - a) Diagnostic assessment means a tool used to identify pupils' specific knowledge, skills, strengths, and learning gaps to inform instruction and supports, administered by an appropriately trained school employee, including, but not limited to, a certificated teacher of record, and may include a kindergarten readiness assessment.
- 2) Authorizes the SBE to *approve* grade-specific criteria for diagnostic assessments. Requires the SBE to consider multiple factors when developing assessment criteria, including the extent to which an assessment addresses the following factors:
 - a) Measurement of grade-level foundational math skills, as outlined in the Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve (2023).
 - b) Evidence that the tool is validated using a contemporary multicultural and multilingual sample of students, with outcome data for English learners and non-English learners;
 - c) Integration of relevant student demographic information, such as home language and access to prekindergarten education, to more fully understand a student's performance;
 - d) Guidance and resources for educators on how to administer, interpret, and respond to diagnostic assessments, as specified.
- 3) Requires the math diagnostic assessments to be evidence-based; to be culturally, linguistically, and developmentally appropriate; to assess a students' mathematics knowledge and learning needs; and to identify students in need of additional support.
- 4) Requires the CDE to post on its website the SBE criteria and guidance by July 31, 2027.
- 5) Requires the CDE, by January 31, 2028, to post on its website the following:
 - a) A list of *approved* diagnostic assessments that comply with the SBE criteria and guidance. Requires the list to include assessments for both English learners and non-

English learners, in primary languages of students in the state, to the extent possible. Authorizes the CDE to update the list of approved assessments periodically, as appropriate.

- b) Guidance to assist LEAs in selecting diagnostic assessments from the CDE list, including but not limited to how LEAs may weigh the following factors:
 - i) The time it takes to complete the assessment;
 - ii) The time it takes for assessment results to become available to educators;
 - iii) The availability of digital and nondigital assessments, and for digital assessments, the data privacy protections in place; and
 - iv) The ability of the assessment to accommodate pupils with exceptional needs.
- 6) Requires LEAs serving students in grades kindergarten, 1st, and 2nd to adopt, on or before June 30, 2028, one or more diagnostic assessments from the CDE list. Requires LEAs to include assessments in the primary languages of students in the LEA, to the extent possible.
- 7) Authorizes LEAs to use an assessment not on the CDE list if its governing board or body self-certifies that the assessment meets *all of* the SBE criteria. Requires self-certification to include findings that the assessment has been validated to assess students' math knowledge in the relevant grades and meets the SBE-developed criteria. Requires self-certification to be reported to the CDE by July 15, 2029, in a form and manner determined by the CDE.
- 8) Requires, beginning with the 2028-29 school year, LEAs to annually assess kindergarten, 1st, and 2nd grade students with an approved math diagnostic assessment.
- 9) Prohibits math assessments from being considered an evaluation or diagnostic tool pursuant to the federal Individuals with Disabilities Education Act (IDEA) or Section 504 of the federal Rehabilitation Act of 1973, and from being used to delay the IDEA child find process. Authorizes an LEA to use assessment results to recommend students for further assessment to establish special education eligibility and related services pursuant to IDEA or 504 plans.
- 10) Specifies procedures for students who do not have sufficient English proficiency to be assessed.
- 11) Authorizes an LEA to not screen a student if the LEA receives written consent of the parent or guardian, and the student has a current identification or diagnosis of dyscalculia or other disability, or is eligible or currently being assessed for special education and related services pursuant to IDEA or a 504 plan.
- 12) Requires an LEA to provide parents or guardians with information about the assessment. Requires assessment results be made available to parents and guardians in a timely manner, including specified information.
- 13) Requires assessment results be used to assess students' math knowledge and identify students who need additional support, not as a diagnosis of a disability. Requires results to be used as part of a broader process that accomplishes the following;

- a) Further evaluates student needs and progress;
 - b) Identifies supports for classroom instruction;
 - c) Enables targeted individual intervention as needed; and
 - d) Allows for further diagnosis if concerns do not resolve.
- 14) Requires LEAs to provide supports and services to students whose assessment results indicate they may benefit from additional instructional support or intervention, which may include but may not be limited to specified interventions.
- 15) Encourages LEAs to leverage existing state investments, including Multi-Tiered Systems of Support, mathematics coaching, professional learning opportunities, the Expanded Learning Opportunities Program, and other resources to support students identified through assessments.
- 16) Prohibits assessment results from being used for any high-stakes purpose, including but not limited to teacher or staff evaluation, accountability, student grade promotion or retention, identification for gifted or talented education, or identification as an individual with exceptional needs.
- 17) Encourages LEAs to use local assessments, statewide assessment data, and formative assessment tools, and other measures of student progress to monitor student math achievement and provide appropriate support through elementary, middle, and high school.
- 18) Requires the SBE, on or before July 31, 2028, to determine the information and process by which LEAs shall notify *the CDE* of assessment results, and the information the CDE *may* make available to the public.
- 19) Requires the CDE, by *April 30, 2028*, to curate and maintain on its website guidance and resources on evidence-based support and intervention and Tier 1 instructional strategies aligned with the 2023 Mathematics Framework.
- 20) Requires the SBE and CDE to solicit stakeholder input when developing the criteria, guidance, and list of diagnostic assessments, and allow for public comment.

COMMENTS

Key provisions of the bill. SB 1067 would require LEAs to conduct math assessments of kindergarten, first, and second grade students beginning in the 2028-29 school year. The goal of the assessments would be to ascertain students' mathematics knowledge and learning needs and identify students in need of additional support. Assessments for this purpose would be chosen in part by the SBE, which would *approve* criteria that the assessments must adhere to; by the CDE, which would curate a list of assessments that the meet those criteria; and by each LEA, which would select an assessment from the CDE list, or use an alternative math assessment if they self-certify that it meets the SBE-developed criteria.

Most recent amendments. Recent amendments clarify that the SBE will approve, not adopt, diagnostic assessment criteria; clarify that the CDE will publish, not develop or adopt, a list of

assessments that meet the criteria approved by the SBE; clarify that LEAs must self-certify that a chosen assessment, if not on the CDE list, meets all of the SBE criteria; require the SBE to determine the process by which LEAs notify the CDE of assessment use and results; extend the date by which the CDE shall curate guidance on support and intervention strategies; and make technical changes to legislative findings and declarations.

California math scores are low and display a widening achievement gap. The 2025 Smarter Balanced Assessments (SBAC), which assesses the English Language Arts (ELA) and mathematics proficiency of students in grades 3, 8, and 11, revealed that only 37% of test takers met or exceeded Common Core State Standards for math. This is lower than ELA, in which 49% of test takers met or exceeded standards.

After a significant drop in math achievement following COVID-19 (40% of test takers met or exceeded standards in 2019, compared to 33% in 2023), math achievement has increased in recent years and is now nearing pre-pandemic levels.

However, average math performance can mask differences between high and low performers, which currently appears to be growing. An analysis by the Public Policy Institute of California (PPIC) reveals that the achievement gap between the worst (bottom 10%) and best (top 10%) performers on the math SBAC has increased significantly since 2015, when the test was first administered (*Recent Test Results Show Widening Gap between High- and Low-scoring K–12 Students*, PPIC, 2025). The authors found a similar trend in results from the National Assessment of Educational Progress. This data suggests there is a need to provide more targeted support to the lowest-achieving students.

Universal early math assessments may be useful in the context of instructional support. Some evidence suggests that universal assessments in early education can help identify students struggling with math. However, identification of struggling students alone is likely insufficient to change their achievement trajectory.

The Institute of Education Sciences (IES) analyzed the impact of various interventions to support students struggling with math. The strongest recommendations made by the IES were focused on how to design and implement successful intervention strategies. Indeed, identifying struggling students is unlikely to be helpful if successful intervention strategies or support for those students are not also provided.

According to the Author

SB 1067 takes a proactive, prevention-focused approach by ensuring young students are assessed for early math challenges and receive timely, evidence-based support when it is most effective. At its core, this bill is about making sure every child builds a strong foundation in math, opening the door to lasting academic achievement, meaningful career pathways, and lifelong success in California's innovation economy.

Arguments in Support

According to the organization EdVoice, "Addressing math difficulties in the early grades—when support is most effective and less costly—helps prevent the need for more intensive and expensive remediation later. Reducing the need for costly interventions in later grades can generate considerable savings for the state over time. Given the scale of math challenges in California, investing early is both fiscally responsible and essential to improving student success.

California is a global center of innovation, yet ranks 43rd in the nation in 4th-grade math. Addressing this crisis requires urgent and effective action. By identifying struggling students in the earliest grades and ensuring they receive targeted support, SB 1067 will put more students on the path to academic success and opportunity."

Arguments in Opposition

According to the California Mathematics Council (CMC), "Limited and narrow screening data could be over interpreted and used to make broader judgments about students and their readiness, such as tracking, which may lead to premature labeling, low-group placement, or skill-remediation pathways for students who are only beginning their formal mathematics journey.

CMC shares the Legislature's commitment to improving early mathematics outcomes. However, SB 1067 focuses on screening rather than strengthening instruction. We urge the Legislature to prioritize investments that build educator expertise, support effective teaching, and expand access to high-quality mathematics learning experiences for all students."

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) One-time Proposition 98 General Fund costs of an unknown but likely significant amount, possibly in the hundreds of thousands to millions of dollars statewide, for LEAs to adopt an approved diagnostic assessment and update associated notifications and guidance to parents. Ongoing Proposition 98 General Fund costs potentially in the millions to tens of millions of dollars annually, to administer the assessments and provide appropriate supports to students. To the extent an LEA already administers a compliant math assessment in the early grades and dedicates resources towards targeted interventions then costs would be lower.

The Budget Act of 2026 includes \$4.4 billion in one-time Proposition 98 General Fund discretionary resources to LEAs via the Student Support and Professional Development Block Grant that could be used to support implementation of this bill by LEAs.

- 2) One-time costs of approximately \$1 million for CDE to determine, adopt, and post approved diagnostic assessments based on SBE-adopted criteria.

VOTES

SENATE FLOOR: 39-0-1

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Niello

ASM EDUCATION: 8-0-1

YES: Patel, Hoover, Alvarez, Bonta, Castillo, Lowenthal, Pellerin, Zbur

ABS, ABST OR NV: Garcia

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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