



CALIFORNIA STATE BOARD OF EDUCATION

NOVEMBER 2016 AGENDA

SUBJECT	
Developing an Integrated Local, State, and Federal Accountability and Continuous Improvement System: Approval of the Performance Standards for the Academic Indicator; Review of Recommendations on the Process for Local Educational Agencies to Evaluate and Report Progress on Local Performance Indicators; Update on How the Evaluation Rubrics Apply to Charter Schools; and Update on Continuing Developmental Work on the Evaluation Rubrics.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

SUMMARY OF THE ISSUE(S)

California's new accountability and continuous improvement system is being built on the foundations of the Local Control Funding Formula (LCFF). The new local, state, and federal accountability system will provide a more complete picture of what contributes to a positive educational experience for students by reporting performance on multiple measures across the LCFF priorities.

The State Board of Education (SBE) is required to develop an accountability tool, known as evaluation rubrics that assists LEAs in identifying strengths, weaknesses, and areas in need of improvement across all LCFF priorities. The SBE adopted the evaluation rubrics, including the performance standards for all the local performance indicators and all state indicators, except the Academic Indicator, at the September 2016 SBE meeting.

The SBE did not adopt performance standards for the Academic Indicator at the September 2016 meeting because there had not been time to incorporate the second year of Smarter Balanced Summative Assessment results into the simulations. The SBE directed staff to recommend performance standards that would include two years of Smarter Balanced Summative Assessment results (i.e., Status and Change) in the initial release of the evaluation rubrics.

This item is the eleventh in a series of regular updates on California's progress towards transitioning to an integrated local, state, and federal accountability and continuous improvement system based on multiple measures, as defined by the LCFF. The purpose of this item is to present the SBE with update on the development of the evaluation rubrics and recommend action on several issues that were not resolved at the September 2016 meeting.

RECOMMENDATION

Staff recommend that the SBE take the following action:

1. Adopt the performance standards for the Academic Indicator, based on student test scores on English Language Arts/Literacy (ELA) and Mathematics for grades 3–8, that includes results from the second year of Smarter Balanced tests, as specified in Attachment 1.
2. Approve proposed self-assessment tools for local educational agencies (LEAs) to determine progress on the local performance indicators for Basics (Priority 1), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10).
3. Revise the approved standards for local performance indicators to clarify that LEAs must report the results of the local measurement of progress to their local governing boards at a regularly scheduled public meeting of the local governing board.
4. Add language to the criteria to determine LEA eligibility for technical assistance and intervention under the LCFF statutes, approved at the September 2016 SBE meeting, to clarify the applicability of the criteria to charter schools, as specified in Attachment 3.

BRIEF HISTORY OF KEY ISSUES

Education Code (EC) Section 52064.5 identifies three statutory purposes for the LCFF evaluation rubrics: to support LEAs in identifying strengths, weaknesses and areas for improvement; to assist in determining whether LEAs are eligible for technical assistance; and to assist the Superintendent of Public Instruction in determining whether LEAs are eligible for more intensive state support/intervention.

Given the central role of the rubrics and the Web-based rubrics system in the emerging local, state, and federal accountability and continuous improvement system, staff recommend that the SBE adopt the proposed cut scores for the Academic Indicator.

Attachment 1 provides a summary of the performance standards for the Academic Indicator based on the approved methodology to establish cut points and performance categories for state indicators. This attachment provides the recommended cut scores for the Academic Indicator, which includes grades three through eight Smarter Balanced Summative Assessment results.

Attachment 2 provides recommendations on the self-assessment tools and menu of local measures that LEAs can use to determine progress on the local performance indicators. The tools and measures are revised based on feedback from stakeholders, including the California Practitioners Advisory Group (CPAG).

Attachment 3 provides an update on the question raised at the September 2016 meeting about how the evaluation rubrics apply to charter schools and includes recommended language to be added to the criteria to determine LEA eligibility for technical assistance and intervention under the LCFF statutes clarifying how the criteria apply to charter schools.

Attachment 4 provides an updated draft timeline for the integrated, local, state, and federal accountability and continuous improvement system that includes a summary of outreach with stakeholders.

Attachment 5 contains *EC* sections referencing the LCFF.

Update on Review of Data on Course Taking and Course Completion

At the September 2016 meeting, the SBE also directed CDE staff to complete further development work on the College/Career Indicator (CCI), including student course-taking information, and options to measure access to a broad course of study (Priority 7) as a state indicator, for the next phase of the evaluation rubrics. CDE staff has begun that work, including analysis of the data available. Shortly after the SBE November 2016 meeting, the CDE will post an information memorandum on course enrollment and course completion data collected through the California Longitudinal Pupil Achievement Data System (CALPADS). The memorandum will provide an analysis on the feasibility of incorporating course data in the CCI and as a measure of course access.

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

In October 2016, the SBE received the following information memoranda:

- An update on the proposed revisions to the LCAP template and instructions (<http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-sep16item01.doc>)
- Proposed approaches on the use of self-assessment tools and menu of local measures for LEAs to determine progress on the local performance indicators (September CPAG/SBE Study Session: <http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-sep16item02.doc> and October CPAG/SBE Study Session: <http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-oct16item04.doc>).
- An overview of the historical information on alternative school accountability and upcoming activities in the development of the new alternate accountability system (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-oct16item03.doc>).

- An update on the progress of the English Learner Indicator Work Group (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-oct16item02.doc>).

In September 2016, the SBE approved the performance standards for all local indicators and all but one state indicators, and the annual process for the SBE to review the rubrics to determine if updates or revisions are necessary. The SBE also directed CDE staff to: (1) develop recommended cut scores and performance categories for the ELA and mathematics assessments in grades three through eight, (2) further develop the statement of model practices, (3) continue the developmental work on the CCI (<http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item01.doc>).

In August 2016, the SBE received the following information memoranda:

- An update on developing the new accountability and continuous improvement system draft timeline (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item01.doc>)
- A framework for supporting local educational agencies and schools (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item02.doc>)
- An overview of the college/career indicator structure and proposed measures (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-aug16item01.doc>)
- Proposed percentile cut scores for state indicators (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-aug16item02rev.doc>)

In July 2016, the SBE approved a design for the LCFF evaluation rubrics that includes: a measure of college/career readiness; a methodology for establishing standards for the LCFF priorities that are not addressed by the state indicators; the inclusion of standard for the use of school climate surveys to support a broader assessment on school climate (Priority 6); the inclusion of an equity report; and directed staff to develop an updated timeline (<http://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item02.doc>).

In June 2016, the SBE received the following information memoranda:

- A summary of the decisions on accountability and continuous improvement that were approved at the May 2016 meeting (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun16item01.doc>)
- Draft statements of model practices (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-jun16item02.doc>)

- Process to identify options for school climate surveys and a composite measure of English learner proficiency (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-jun16item02.doc>)

In May 2016, the SBE approved a design for the LCFF evaluation rubrics that includes: a set of state indicators; a methodology for calculating performance as a combination of status and change for the state indicators in order to differentiate performance at the LEA and school levels, and for student groups; a component that supports the use of local data; and concepts for a top-level display. The SBE also directed staff to prepare a recommendation for the July 2016 Board meeting for establishing standards for the LCFF priorities that are not addressed by the state indicators and options for incorporating college and career readiness, local climate surveys, and an English learner composite into the overall LCFF evaluation rubrics design (<http://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item02revised.doc>).

In April 2016, the SBE received the following information memoranda:

- A summary of the decisions on accountability and continuous improvement that were approved at the March 2016 meeting (<http://www.cde.ca.gov/be/pn/im/documents/memo-amard-apr16item01.doc>)
- Further analysis on potential key indicators (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item02.doc>)
- Additional analysis on the graduation rate to inform the methodology to set standards for performance and expectations for improvement (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-apr16item04.doc>)
- LCAP template revisions (<http://www.cde.ca.gov/be/pn/im/documents/memo-exec-lasso-apr16item01.doc>)

In March 2016, the SBE reviewed the proposed architecture of the single, coherent accountability and continuous improvement system and options for developing a concise set of state indicators for accountability and continuous improvement purposes. The SBE took action to direct staff to proceed with further analysis and design work to develop a complete draft of the LCFF evaluation rubrics prototype (<http://www.cde.ca.gov/be/ag/ag/yr16/documents/mar16item23.doc>).

In February 2016, the SBE received a series of information memoranda on the following topics:

- Updated timeline that details the proposed transition to the new accountability and continuous improvement system (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item01.doc>).

- Common terminology and definition of terms used to describe the proposed architecture for the new accountability and continuous improvement system (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item02.doc>).
- Draft architecture that clarifies how the pieces of the emerging, integrated accountability system will fit together (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item03.doc>).
- Further analysis on the graduation rate indicator to illustrate potential standards (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item04.doc>).
- Options for key indicators that satisfy the requirements of the LCFF and ESSA (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-feb16item05.doc>).
- Overview of student-level growth models for Smarter Balanced summative assessment results (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-feb16item01.doc>).
- Review of college and career indicator (CCI) options (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-feb16item02.doc>).

FISCAL ANALYSIS (AS APPROPRIATE)

The 2016–17 state budget includes \$71.9 billion in the Proposition 98 Guarantee. This includes an increase of more than \$2.9 billion to support the continued implementation of LCFF and builds upon the investment of more than \$12.8 billion provided over the last three years. This increase will bring the formula to 96 percent of full implementation.

ATTACHMENT(S)

- Attachment 1: Proposed Performance Standards for the Academic Indicator Based on Student Test Scores in English Language Arts/Literacy and Mathematics for Grades Three through Eight (13 Pages)
- Attachment 2: Proposed Approach to Determine Progress on the Local Performance Indicators Including the Use of Self-Assessment Tools and/or A Menu of Local Measures (8 Pages)
- Attachment 3: Update and Recommended Action on Application of Evaluation Rubrics to Charter Schools (5 Pages)

Attachment 4: Draft Timeline for the Integrated, Local, State, and Federal Accountability and Continuous Improvement System, Including Outreach with Stakeholders (10 Pages)

Attachment 5: California *Education Code* Sections 52064.5, 47607, 47607.3, 52071, 52071.5, 52072, 52072.5, 52060, 52066, 52064, and 52052 (18 Pages)

Proposed Performance Standards for the Academic Indicator Based on Student Test Scores in English Language Arts/Literacy and Mathematics for Grades Three through Eight

This attachment provides background information about the proposed action by the State Board of Education (SBE) to adopt the performance standards for the academic state indicator for student test scores in English language arts/literacy (ELA) and mathematics for grades three through eight that includes results from the second year of Smarter Balanced assessments.

Background

At the July 2016 SBE meeting, the SBE reviewed proposed performance standards for the state indicators based on the methodology approved at the May 2016 SBE meeting. The methodology uses equally weighted percentile cut scores for status and change to determine a performance category for each state indicator. These determinations apply to all local educational agencies (LEAs), including charter schools; traditional schools; and student groups. The SBE also approved moving student test scores in ELA and mathematics Smarter Balanced assessments for grade eleven from the Academic Indicator to the College/Career Indicator.

At the September 2016 SBE meeting, the SBE approved the cut scores for the Graduation Rate Indicator, Suspension Rate Indicator, College/Career Indicator, and English Learner Indicator. To allow for the incorporation of the second year of Smarter Balanced test scores (which were received in late September 2016), the SBE directed staff to develop a recommendation for the November 2016 SBE meeting on proposed performance standards for the Academic Indicator by establishing cut-scores and performance categories in ELA and mathematics for grades three through eight.

Methodology Considerations for Current and Future Years

As outlined in an August 2016 SBE Memorandum (<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item01.doc>), the shift to the use of scale scores, and ultimately the implementation of a student-level growth model as part of the Academic Indicator, is planned over a multi-year period. This timeframe is designed to: (1) allow for inclusion of the Academic Indicator in the initial phase of the Local Control Funding Formula (LCFF) evaluation rubrics that will be released in early 2017; (2) continue with a thoughtful, parallel path to develop a growth model; and (3) consider the need to effectively communicate and receive feedback from stakeholders throughout the process as this is a significant shift in the use of assessment data for California educators.

The proposed cut scores for the Academic Indicator included in this attachment are based on the percent of students who met or exceeded standards for ELA and mathematics Smarter Balanced test results for grades three through eight. Although it is not possible to complete the analysis necessary to have confidence that an approach using scale scores would be valid and comparable across grade levels in time for inclusion in the initial release of the LCFF evaluation rubrics by early 2017, staff will be able to complete that analysis by spring of 2017, but that would be too late to include in the initial release of the evaluation rubrics in early 2017.

Accordingly, staff recommend that the SBE adopt performance standards for the Academic Indicator based on percent of students who met or exceeded standards. This will allow the initial release of the LCFF evaluation rubrics to include performance data for the Academic Indicator. Staff will recommend updated performance standards based on the inclusion of scale scores when the next round of performance data is reported through the LCFF evaluation rubrics in fall of 2017.

In anticipation of this change, the California Department of Education (CDE), in consultation with the Technical Design Group (TDG) and testing vendor, have begun developing a valid, reliable, and fair methodology for using scale scores as a measure of Status. The CDE will also work with the TDG to develop a student-level growth model that will be used as the measure of Change in the LCFF evaluation rubrics.

For the initial release of the LCFF evaluation rubrics, it will be important to communicate clearly to LEAs, stakeholders, and the public that the way performance is calculated for the Academic Indicator will change from percent of students who met or exceeded standards to scale scores beginning in fall 2017. Staff will ensure that language to this effect is included in the web-based evaluation rubrics system, and will work with stakeholders and other agencies, such as the California Collaborative for Educational Excellence, to identify other ways to communicate this information. This will ensure that LEAs understand that all students' assessment results will be included in the calculation of the Academic Indicator, and not just the students who met or exceeded standards. Therefore, improvement made by all students above and below the standards will impact LEA and school performance on the Academic Indicator, and not just those students who were near the boundary between standard nearly met and moved to standard met.

In spring 2017, the CDE will update the SBE of the progress toward the implementation of the growth model through an Information Memorandum. Additionally, the CDE will seek feedback from the SBE at a meeting in spring 2017 on criteria to facilitate the selection of a student-level growth model methodology, and to take action on the scale score methodology. The CDE will also present updated performance standards based on scale scores, along with analyses that compare the prior methodology (i.e., met or exceeded standards) to the proposed scale score methodology.

Note: While 2015–16 was the first year of the California Alternate Assessment (CAA), which is available for students with the most significant disabilities, the state has not yet

received a statewide file for these scores. CAA results will be incorporated into the Academic Indicator in future years.

Stakeholder Input

The TDG met in early October 2016 to review multiple simulations prepared by the CDE for Status and Change. The TDG provided feedback to CDE staff on the performance categories and cut scores provided in the attached tables. This attachment contains four tables for each content area displaying the: (1) recommended cut points for the five **Status** levels, (2) distribution of all the **Status** scores for all LEAs (including charter schools), (3) recommended cut points for the five **Change** levels, and (4) distribution of all **Change** scores for all LEAs. This attachment concludes with tables summarizing the number of LEAs and schools statewide in each performance category and student group results for LEAs and schools.

The recommended cut scores were presented to the California Practitioners Advisory Group (CPAG) at their October 13, 2016, meeting and there was considerable discussion with the CPAG members regarding the proposed cut scores, including support for future work to develop an approach using scale scores.

Recommendation

The CDE recommends that the SBE approve the performance standards for the academic state indicator for student test scores in ELA and mathematics for grades three through eight that includes results from the second year of Smarter Balanced tests.

Academic Indicator—ELA Status

ELA Status Level	ELA Status Cut Points
Very Low	Percent met or exceeded standards is less than 20%
Low	Percent met or exceeded standards is 20% to less than 51%
Median	Percent met or exceeded standards is 51% to less than 60%
High	Percent met or exceeded standards is 60% to less than 75%
Very High	Percent met or exceeded standards is 75% or greater

Distribution for ELA Status

Percentiles	% Met or Exceeded Standards	Status Level
5	19.1200	Very Low
5.8	20.0000	Low
10	24.7000	
15	28.2800	
20	31.3000	
25	33.7000	
30	35.8000	
35	38.1000	
40	40.4800	
45	43.0000	
50	45.4000	
55	47.8000	
60	50.5200	Medium
60.8	51.0000	
65	53.5800	
70	56.9000	High
74.7	60.0000	
75	60.3000	
80	63.1600	
85	67.5000	
90	72.9800	
91.8	75.0000	Very High
95	80.1400	

Total Number of Districts = 1,691

Academic Indicator—Mathematics Status

Math Status Level	Math Status Cut Points
Very Low	Percent met or exceeded standards is less than 15%
Low	Percent met or exceeded standards is 15% to less than 40%
Median	Percent met or exceeded standards is 40% to less than 51%
High	Percent met or exceeded standards is 51% to less than 70%
Very High	Percent met or exceeded standards is 70% or greater

Distribution for Mathematics Status

Percentiles	% Met or Exceeded Standards	Status Level
5	10.4500	Very Low
9.8	15.0000	
10	15.2000	
15	18.0500	
20	20.7000	
25	23.0000	
30	25.2000	
35	27.2000	
40	29.4000	
45	31.7000	
50	34.2000	
55	37.0500	
60	39.8000	
61.3	40.0000	
65	42.4500	
70	45.8000	
75	50.0000	Medium
76.4	51.0000	
80	54.1000	
85	59.4500	
90	64.6000	High
92.9	70.0000	
95	74.5000	
		Very High

Total Number of Districts = 1,689

Academic Indicator—ELA Change

ELA Change Level	ELA Change Cut Points
Declined Significantly	Percent met or exceeded standards declined by more than 5%
Declined	Percent met or exceeded standards declined by 1% to 5%
Maintained	Declined or increased by more than 1% to less than 2%
Increased	Percent met or exceeded standards increased by 2% to less than 5%
Increased Significantly	Percent met or exceeded standards increased by 5% or more

Distribution for ELA Change

Percentiles	% Change from Prior Year to Current Year	Change Level
5	-6.7000	Declined Significantly
6.9	-5.0000	Declined
10	-3.2000	
15	-1.4000	
16.5	-1.0000	
20	-.1000	Maintained
25	.8750	
30	1.6000	
32.6	2.0000	Increased
35	2.3000	
40	2.9000	
45	3.5000	
50	4.0000	
55	4.5050	
59.3	5.0000	Increased Significantly
60	5.1000	
65	5.8000	
70	6.5000	
75	7.2000	
80	8.1000	
85	9.5000	
90	11.5000	
95	15.8000	

Total Number of Districts = 1,670

Academic Indicator—Mathematics Change

Math Change Level	Math Change Cut Points
Declined Significantly	Percent met or exceeded standards declined by more than 5%
Declined	Percent met or exceeded standards declined by 1% to 5%
Maintained	Declined or increased by more than 1% to less than 2%
Increased	Percent met or exceeded standards increased by 2% to less than 5%
Increased Significantly	Percent met or exceeded standards increased by 5% or more

Distribution for Mathematics Change

Percentiles	% Change from Prior Year to Current Year	Change Level
5	-7.2000	Declined Significantly
7.7	-5.0000	Declined
10	-3.8100	
15	-2.0000	
19.8	-1.0000	
20	-.9000	Maintained
25	.1000	
30	.8000	
35	1.4000	
40	1.9000	
41.1	2.0000	
45	2.5000	Improved
50	3.0000	
55	3.4000	
60	3.9000	
65	4.5000	
69.2	5.0000	
70	5.2000	Improved Significantly
75	5.9000	
80	7.0000	
85	8.1000	
90	9.7000	
95	13.3550	

Total Number of Districts = 1,668

ELA Academic Performance Categories

ELA Academic Indicator Change

(Change in Percent of Students Who Met or Exceeded Standards)

ELA Academic Indicator Status
(Percent of Students Who Met or Exceeded Standards)

Level	Declined Significantly by more than 5%	Declined by 1% to 5%	Maintained Declined by more than 1% and improved by less than 2%	Increased by 2% to less than 5%	Increased Significantly by 5% or more
Very High 75% or more	Yellow	Green	Blue	Blue	Blue
High 60% to less than 75%	Orange	Yellow	Green	Green	Blue
Medium 51% to less than 60%	Orange	Orange	Yellow	Green	Green
Low 20% to less than 51%	Red	Orange	Orange	Yellow	Yellow
Very Low Less than 20%	Red	Red	Red	Orange	Yellow

Statewide Districts' Performance

# of LEAs	Red	Orange	Yellow	Green	Blue
1,587	102 (6.4%)	263 (16.6%)	692 (43.6%)	282 (17.8%)	248 (15.6%)

Statewide Schools' Performance

# of Schools	Red	Orange	Yellow	Green	Blue
7,184	471 (6.6%)	1,365 (19.0%)	3,037 (42.3%)	1,159 (16.1%)	1,152 (16.0%)

Performance by School Type

School Type	# of Schools	Red	Orange	Yellow	Green	Blue
Non Charter	6,395	401 (6.3%)	1,224 (19.1%)	2,735 (42.8%)	1,025 (16.0%)	1,010 (15.8%)
Charter	789	70 (8.9%)	141 (17.9%)	302 (38.3%)	134 (17.0%)	142 (18.0%)
Small Schools*	101	18 (17.8%)	22 (21.8%)	39 (38.6%)	10 (9.9%)	12 (11.9%)
Non Small Schools	7,083	453 (6.4%)	1,343 (19.0%)	2,998 (42.3%)	1,150 (16.2%)	1,139 (16.1%)

*Small schools have 30 to 99 students with Smarter Balanced test scores.

Mathematics Academic Performance Categories

Mathematics Academic Indicator Change

(Change in Percent of Students Who Met or Exceeded Standards)

Mathematics Academic Indicator Status (Percent of Students Who Met or Exceeded Standards)	Level	Declined Significantly by more than 5%	Declined by 1% to 5%	Maintained Declined by more than 1% and improved by less than 2%	Increased by 2% to less than 5%	Increased Significantly by 5% or more
	Very High 70% or more	Yellow	Green	Blue	Blue	Blue
	High 51% to less than 70%	Orange	Yellow	Green	Green	Blue
	Medium 40% to less than 51%	Orange	Orange	Yellow	Green	Green
	Low 15% to less than 40%	Red	Orange	Orange	Yellow	Yellow
	Very Low Less than 15%	Red	Red	Red	Orange	Yellow

Statewide Districts' Performance

# of LEAs	Red	Orange	Yellow	Green	Blue
1,586	144 (9.1%)	374 (23.6%)	559 (35.3%)	287 (18.1%)	222 (14.0%)

Statewide Schools' Performance

# of Schools	Red	Orange	Yellow	Green	Blue
7,182	720 (10.0%)	1,643 (22.9%)	2,463 (34.3%)	1,191 (16.6%)	1,165 (16.2%)

Performance by School Type

School Type	# of Schools	Red	Orange	Yellow	Green	Blue
Non Charter	6,394	625 (9.8%)	1,439 (22.5%)	2,213 (34.6%)	1,077 (16.8%)	1,040 (16.3%)
Charter	788	95 (12.1%)	204 (25.9%)	250 (31.7%)	114 (14.5%)	125 (15.8%)
Small Schools*	100	16 (16.0%)	29 (29.0%)	26 (26.0%)	14 (14.0%)	15 (15.0%)
Non Small Schools	7,082	704 (9.9%)	1,614 (22.8%)	2,437 (34.4%)	1,177 (16.6%)	1,150 (16.3%)

*Small schools have 30 to 99 students with Smarter Balanced test scores.

ELA Academic Indicator District Student Group Results

Student Groups	Total*	Red	Orange	Yellow	Green	Blue
All Districts (Total = 1,587)	1,587	102 (6.4%)	263 (16.6%)	692 (43.6%)	282 (17.8%)	248 (15.6%)
African American	439	59 (3.7%)	129 (8.1%)	195 (12.3%)	38 (2.4%)	18 (1.1%)
Asian	444	8 (0.5%)	33 (2.1%)	68 (4.3%)	105 (6.6%)	230 (14.5%)
Filipino	263	2 (0.1%)	24 (1.5%)	24 (1.5%)	70 (4.4%)	143 (9.0%)
Hispanic/Latino	1,289	114 (7.2%)	247 (15.6%)	712 (44.9%)	125 (7.9%)	91 (5.7%)
Native American	97	22 (1.4%)	25 (1.6%)	41 (2.6%)	8 (0.5%)	1 (0.1)
Pacific Islander	107	8 (0.5%)	29 (1.8%)	50 (3.2%)	13 (0.8)	7 (0.4%)
Two or More Races	404	17 (1.1%)	62 (3.9%)	89 (5.6%)	102 (6.4%)	134 (8.4%)
White	1,138	43 (2.7%)	177 (11.2%)	276 (17.4%)	313 (19.7%)	329 (20.7%)
Socioeconomically Disadvantaged	1,423	139 (8.8%)	307 (19.3%)	808 (50.9%)	100 (6.3%)	69 (4.3%)
English learners	1,082	99 (6.2%)	123 (7.8%)	722 (45.5%)	76 (4.8%)	62 (3.9%)
Students with Disabilities	904	401 (25.3%)	246 (15.5%)	234 (14.7%)	20 (1.3%)	3 (0.2%)

*Total = Number of districts with 30 or more students at the district level and student group level with CAASPP results.

- = No data available due to less than 30 students with CAASPP results.

Note: For all percentages calculated above, the total number of districts (1,587) was used for the denominator.

ELA Academic Indicator School Student Group Results

Student Groups	Total*	Red	Orange	Yellow	Green	Blue
All Schools (Total = 7,184)	7,184	471 (6.6%)	1,365 (19.0%)	3,037 (42.3%)	1,159 (16.2%)	1,152 (16.0%)
African American	1,414	383 (5.3%)	318 (4.4%)	599 (8.3%)	63 (0.9%)	51 (0.7%)
Asian	1,797	52 (0.7%)	151 (2.1%)	273 (3.8%)	366 (5.1%)	955 (13.3%)
Filipino	478	12 (0.2%)	52 (0.7%)	59 (0.8%)	101 (1.4%)	254 (3.5%)
Hispanic/Latino	6,390	624 (8.7%)	1,409 (19.6%)	3,312 (46.1%)	637 (8.9%)	408 (5.7%)
Native American	30	9 (0.1%)	5 (0.07%)	15 (0.2%)	1 (0.0%)	-
Pacific Islander	11	-	5 (0.07%)	5 (0.07%)	-	1 (0.0%)
Two or More Races	741	34 (0.5%)	92 (1.3%)	99 (1.4%)	136 (1.9%)	380 (5.3%)
White	4,161	210 (2.9%)	613 (8.5%)	869 (12.1%)	1,012 (14.1%)	1,457 (20.3%)
Socioeconomically Disadvantaged	6,652	709 (9.9%)	1,574 (21.9%)	3,541 (49.3%)	548 (7.6%)	280 (3.9%)
English learners	5,863	521 (7.3%)	885 (12.3%)	3,604 (50.2%)	422 (5.9%)	431 (6.0%)
Students with Disabilities	4,548	2,083 (29.0%)	1,027 (14.3%)	1,301 (18.1%)	74 (1.0%)	63 (0.9%)

*Total = Number of schools with 30 or more students at the school level and student group level with California Assessment of Student Performance and Progress (CAASPP) results.
- = No data available due to less than 30 students with CAASSP results.

Note: For all percentages calculated above, the total number of schools (7,184) was used for the denominator.

Mathematics Academic Indicator District Student Group Results

Student Groups	Total*	Red	Orange	Yellow	Green	Blue
All Districts (Total = 1,586)	1,586	144 (9.1%)	374 (23.6%)	559 (35.3%)	287 (18.1%)	222 (14.0%)
African American	438	98 (6.2%)	129 (8.1%)	173 (10.9%)	26 (1.6%)	12 (0.8%)
Asian	442	9 (0.6%)	25 (1.6%)	57 (3.6%)	108 (6.8%)	243 (15.3%)
Filipino	263	4 (0.3%)	21 (1.3%)	32 (2.0%)	93 (5.9%)	113 (7.1%)
Hispanic/Latino	1,288	174 (11.0%)	322 (20.3%)	584 (36.8%)	142 (9.0%)	66 (4.2%)
Native American	98	18 (1.1%)	31 (2.0%)	41 (2.6%)	6 (0.4%)	2 (0.1%)
Pacific Islander	107	13 (0.8%)	25 (1.6%)	52 (3.3%)	8 (0.5%)	9 (0.6%)
Two or More Races	405	13 (0.8%)	75 (4.7%)	85 (5.4%)	111 (7.0%)	121 (7.6%)
White	1,137	60 (3.8%)	220 (13.9%)	262 (16.5%)	315 (19.9%)	280 (17.7%)
Socioeconomically Disadvantaged	1,422	225 (14.2%)	380 (24.0%)	629 (39.7%)	131 (8.3%)	57 (3.6%)
English learners	1,081	145 (9.1%)	185 (11.7%)	584 (36.8%)	80 (5.0%)	87 (5.5%)
Students with Disabilities	899	414 (26.1%)	235 (14.8%)	213 (13.4%)	25 (1.6%)	12 (0.8%)

*Total = Number of districts with 30 or more students at the district level and student group level with CAASPP results.

- = No data available due to less than 30 students with CAASPP results.

Note: For all percentages calculated above, the total number of district (1,586) was used for the denominator.

Mathematics Academic Indicator School Student Group Results

Student Groups	Total*	Red	Orange	Yellow	Green	Blue
All Schools (Total = 7,182)	7,182	720 (10.0%)	1,643 (22.9%)	2,463 (34.3%)	1,191 (16.6%)	1,165 (16.2%)
African American	1,412	557 (7.8%)	326 (4.5%)	454 (6.3%)	55 (0.8%)	20 (0.3%)
Asian	1,793	47 (0.7%)	166 (2.3%)	229 (3.2%)	323 (4.5%)	1,028 (14.3%)
Filipino	477	19 (0.3%)	73 (1.0%)	73 (1.0%)	104 (1.4%)	208 (2.9%)
Hispanic/Latino	6,388	961 (13.4%)	1718 (23.9%)	2696 (37.5%)	652 (9.1%)	361 (5.0%)
Native American	30	10 (0.1%)	7 (0.1%)	12 (0.2%)	-	1 (0.0%)
Pacific Islander	11	1 (0.0%)	-	7 (0.1%)	3 (0.0%)	-
Two or More Races	740	36 (0.5%)	116 (1.6%)	124 (1.7%)	156 (2.2%)	308 (4.3%)
White	4,158	253 (3.5%)	698 (9.7%)	870 (12.1%)	978 (13.6%)	1,359 (18.9%)
Socioeconomically Disadvantaged	6,651	1,050 (14.6%)	1,818 (25.3%)	2,823 (39.3%)	669 (9.3%)	291 (4.1%)
English learners	5,863	855 (11.9%)	1,202 (16.7%)	2,744 (38.2%)	493 (6.9%)	569 (7.9%)
Students with Disabilities	4,522	2,152 (30.0%)	1,077 (15.0%)	1,076 (15.0%)	133 (1.9%)	84 (1.2%)

*Total = Number of schools with 30 or more students at the school level and student group level with CAASPP results.

- = No data available due to less than 30 students with CAASPP results.

Note: For all percentages calculated above, the total number of schools (7,182) was used for the denominator.

Proposed Approach to Determine Progress on the Local Performance Indicators Including the Use of Self-Assessment Tools and/or A Menu of Local Measures

This Attachment proposes an approach for local educational agencies (LEAs) to evaluate progress on the Local Control Funding Formula (LCFF) evaluation rubrics local performance indicators using self-assessments and/or a menu of local measures. Staff recommend that the State Board of Education (SBE) approve the proposed self-assessment tools for LEAs to assess and report their performance on the local performance indicators through the web-based evaluation rubrics system for Basics (Priority 1), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10).

Staff will continue working on the proposed approach for Implementation of State Academic Standards (Priority 2) and Parent Engagement (Priority 3), including continued stakeholder input sessions, and anticipate posting an information memorandum with an update on progress later this month and an further update at the January 2017 SBE meeting.

Background

The initial phase of the evaluation rubrics includes local performance indicators for the following LCFF priorities:

- Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities (Priority 1)
- Implementation of State Academic Standards (Priority 2)
- Parent Engagement (Priority 3)
- School Climate – Local Climate Surveys (Priority 6)
- Coordination of Services for Expelled Students – County Offices of Education (COEs) Only (Priority 9)
- Coordination of Services for Foster Youth – COEs Only (Priority 10)

LEAs are responsible for measuring progress on these priorities relative to performance standards and criteria adopted by the SBE. To provide evidence of progress on the local performance indicators, LEAs will be provided with self-assessment tools and/or menu of local measures to report out through the evaluation rubrics.

Following the reporting out of the self-assessment/local measure options and progress, LEAs will use the following criteria to assess performance:

- Met (green)
- Not Met (orange)
- Not Met for Two or More Years (red)

As noted in previous SBE meeting items, the self-assessment tools and menu of local measures represent the strategy for the initial phase of the evaluation rubrics. The California Department of Education (CDE) is convening work groups, technical experts, and stakeholders to provide input on the local indicators to provide the SBE with recommendations for further development and refinement for those indicators. The initial phase of the web-based system will launch in early 2017, and the accountability system will take full effect in the 2017-18 school year.

(<http://www.cde.ca.gov/be/pn/im/documents/memo-sbe-aug16item01.doc>).

Stakeholder Input

The CPAG reviewed an initial draft of the local performance indicators at its September meeting (<http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-sep16item02.doc>). Information on Priority 1 (availability of text books, adequate facilities and correctly assigned teachers), is already collected through the School Accountability Report Card (SARC). LEAs would use locally available information, including data reported through the SARC, to provide evidence of progress on the local performance indicator. The web-based user interface system for the evaluation rubrics is being developed based on the same data system that supports the SARC template. Therefore, for LEAs that use the SARC template, the rubrics system could auto-populate the necessary SARC data to report progress on Priority 1. Because LEAs have a consistent way to report data for Priority 1, this priority was not reviewed in detail with the CPAG.

The CPAG provided input on the process that LEAs would use to collect and report the local performance indicator data. The CPAG also reviewed initial drafts of the self-assessment tools and menu of local measures that LEAs would use to measure performance on Implementation of Academic Standards (Priority 2), Parent Engagement (Priority 3), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10).

Based on this initial review, the CPAG reconvened in October to review an updated draft of the instructions and process that LEAs would use to collect and report the local performance data (<http://www.cde.ca.gov/be/cc/cp/documents/memo-cpag-oct16item04.doc>). Specifically, the CPAG provided input on ways LEAs can identify self-assessment tools and/or selection of local measures, gather information on these tool and/or measures, and report out on this information in collaboration with stakeholders as part of the annual Local Control and Accountability Plan (LCAP) process.

In addition to further refining the approach or process LEAs may use to collect performance data on these local indicators, the CPAG provided specific examples for

the content to be included in the self-assessment tools and/or local measures that can be used by LEAs to gather information that measures performance on the local indicators.

Additional stakeholder input from representatives of statewide and community-based organizations was received through public testimony at the CPAG meetings. Staff provided further opportunities for stakeholders to clarify recommendations through conference calls and written feedback. Some stakeholders requested that the standard clarify whether the LEA report the results to its local governing board at a regularly scheduled meeting of the local governing board. The stakeholders noted that this would allow stakeholders to provide public comment on the LEAs self-report of progress in meeting the standard.

Based on the feedback from CPAG and stakeholders, staff propose additional stakeholder opportunities and further work on the self-assessment tools and option to use a menu of local measures for Implementation of Academic Standards (Priority 2), Parent Engagement (Priority 3). The information gathered from the CPAG and the stakeholders for School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10) are presented in the appendix.

Recommendations

Process to Collect Information on the Local Performance Indicators

The CPAG provided input on how the instructions in the web-based LCFF evaluation rubrics system could share best practices on the process that LEAs would use to submit information through the web-based LCFF evaluation rubrics system. The recommendations clarified that LEAs could coordinate engagement and consultation with stakeholders to collaboratively select and develop responses to self-assessment tools and/or selection of a local measures so that the process of providing information on the local performance indicators is consistent with the consultation process that takes place as part of the LCAP and local strategic planning discussions.

- Designate a representative (e.g., LCFF Rubrics Coordinator) to compile and coordinate feedback and/or responses from stakeholders, such as, governing board members, county, district, and school personnel, and members of the public, to inform the completion of the self-assessment tool.
- Present the results to the local governing board, school personnel, and members of the public (e.g., presentation at a regularly scheduled board meeting through a public presentation with opportunity for public comment).
- Determine LEA the performance on the standard (met, not met, not met for two years) and report this performance in the evaluation rubrics.

- Determine whether or not to provide additional information about performance on the local performance standard or the local context that would be reported in a narrative text box within the evaluation rubrics.

Proposed Self-Assessment Tools and Menu of Local Measures

The SBE approved the criteria for assessing evidence at its July 2016 meeting (<http://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item02.doc>). The criteria are the same across all local performance indicators and requires LEAs to assess their progress on these indicators on a *[Met/Not Met/Not Met for Two or More Years]* scale. The SBE approved standards for the local performance indicator at the September 2016 meeting (<http://www.cde.ca.gov/be/ag/ag/yr16/documents/sep16item01.doc>). Staff recommend the SBE approve a revision to the standard for each local performance indicator that clarifies the reporting of information to the local governing board shall occur ***at a regularly scheduled meeting of the local governing board.***

Additionally, staff recommend that the SBE approve the proposed approach for supporting LEAs in determining progress on the local performance indicators for Basics (Priority 1), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10) using the self-assessments and/or menu of local measures presented in the appendix.

The appendix provides an overview of the proposed approach for LEAs to determine progress on the local performance indicator for Basics (Priority 1), School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9), and Coordination of Services for Foster Youth (Priority 10). The appendix includes the following information for each of these local performance indicators:

- Revised standard with the addition an LEA reports the results to its local governing board ***at a regularly scheduled meeting of the local governing board;***
- Information about the evidence that LEAs would use to demonstrate progress in meeting the standard;
- Proposed self-assessment tool to be included in the LCFF evaluation rubrics system.

Appendix. Revised Self-Assessment Tools Based on Feedback from the CPAG and Stakeholder Input for School Climate (Priority 6), Coordination of Services for Expelled Students (Priority 9) and Coordination of Services for Foster Youth (Priority 10)

School Climate (Priority 6)

Standard: LEA administers a local climate survey at least every other year that provides a valid measure of perceptions of school safety and connectedness, such as the California Healthy Kids Survey, to students in at least one grade within the grade span(s) that the LEA serves (e.g., K-5, 6-8, 9-12), and reports the results to its local governing board ***at a regularly scheduled meeting of the local governing board*** and to stakeholders and the public through the evaluation rubrics.

Evidence: LEA administers a survey as specified and reports the results to its local governing board and through the local data selection option in the evaluation rubrics.

Proposed Local Data Reporting Interface:

LEAs will provide a narrative summary of the local administration and analysis of a local climate survey that captures a valid measure of student perceptions of school safety and connectedness in at least one grade within the grade span (e.g., K–5, 6–8, 9–12). Specifically, LEAs will have an opportunity to include differences among student groups, and for surveys that provide an overall score, such as the California Healthy Kids Survey, report the overall score for all students and student groups. This summary may also include an analysis of a subset of specific items on a local survey that is particularly relevant to school safety and connectedness.

[Insert LEA summary of school climate results.]

Coordination of Services for Expelled Students (Priority 9)

Standard: COE annually measures its progress in coordinating instruction as required by Education Code Section 48926 and reports the results to its local governing board **at a regularly scheduled meeting of the local governing board** and to stakeholders and the public through the evaluation rubrics.

Evidence: COE determines its progress through the use of a self-assessment tool that will be included in the evaluation rubrics web-based user interface, and report these results to its local governing board and through the local data selection option in the evaluation rubrics.

Proposed Self-Assessment Tool:

Assess the degree of implementation of the progress in coordinating instruction for expelled students in your county?

	Exploration and Research Phase	Beginning Development	Initial Implementation	Full Implementation	Full Implementation and Sustainability
1. Assessing status of triennial plan for providing educational services to all expelled students in the county, including:	-	-	-	-	-
a. Review of required outcome data.	1	2	3	4	5
b. Identifying existing educational alternatives for expelled pupils, gaps in educational services to expelled pupils, and strategies for filling those service gaps.	1	2	3	4	5
c. Identifying alternative placements for pupils who are expelled and placed in district community day school programs, but who fail to meet the terms and conditions of their rehabilitation plan or who pose a danger to other district pupils.	1	2	3	4	5
2. Coordinating on development and implementation of triennial plan with all LEAs within the county.	1	2	3	4	5
3. Establishing ongoing collaboration and policy development for transparent referral process for LEAs within the county to the county office of education or other program options, including dissemination to all LEAs within the county a menu of available continuum of services for expelled students.	1	2	3	4	5
4. Developing memorandum of understanding regarding the coordination of partial credit policies between district of residence and county office of education.	1	2	3	4	5

Coordination of Services for Foster Youth (Priority 10)

Standard: COE annually measures its progress in coordinating services for foster youth and reports the results to its local governing board ***at a regularly scheduled meeting of the local governing board*** and to stakeholders and the public through the evaluation rubrics.

Evidence: COE would determine its progress through the use of a self-assessment tool that will be included in the evaluation rubrics web-based user interface, and report the results to its local governing board and through the local data selection option in the evaluation rubrics.

Proposed Self-Assessment Tool:

Assess the degree of implementation of coordinated service program components for foster youth in your county?

	Exploration and Research Phase	Beginning Development	Initial Implementation	Full Implementation	Full Implementation and Sustainability
1. Establishing ongoing collaboration and supporting policy development, including establishing formalized information sharing agreements with child welfare, probation, Local Education Agency (LEAs), the courts, and other organizations to support determining the proper educational placement of foster youth (e.g., school of origin versus current residence, comprehensive versus alternative school, and regular versus special education).	1	2	3	4	5
2. Building capacity with LEA, probation, child welfare, and other organizations for purposes of implementing school-based support infrastructure for foster youth intended to improve educational outcomes (e.g., provide regular professional development with the Foster Youth Liaisons to facilitate adequate transportation services for foster youth).	1	2	3	4	5
3. Providing information and assistance to LEAs regarding the educational needs of foster youth in order to improve educational outcomes.	1	2	3	4	5
4. Providing direct educational services for foster youth in LEA or county-operated programs provided the school district has certified that specified services cannot be provided or funded using other sources, including, but not limited to, Local Control Funding Formula, federal, state or local funding.	1	2	3	4	5
5. Establishing ongoing collaboration and supporting development of policies and procedures that facilitate expeditious transfer of records, transcripts, and other relevant educational information.	1	2	3	4	5
6. Facilitating the coordination of post-secondary opportunities for youth by engaging with systems partners, including, but not limited to, child welfare transition planning and independent living services, community colleges or universities, career technical education, and workforce development providers.	1	2	3	4	5
7. Developing strategies to prioritize the needs of foster youth in the community, using community-wide assessments that consider age group, geographical area, and identification of highest needs students based on academic needs and placement type.	1	2	3	4	5
8. Engaging in the process of reviewing plan deliverables and of collecting and analyzing LEA and COE level outcome data for purposes of evaluating effectiveness of support services for foster youth and whether the investment in services contributes to improved educational outcomes for foster youth.	1	2	3	4	5

Update and Recommended Action on Application of Evaluation Rubrics to Charter Schools

At the September 2016 State Board of Education (SBE) meeting, the SBE approved the following criteria for determining local educational agency (LEA) eligibility for differentiated assistance and intensive intervention. *Red* is the lowest of the five performance categories for state indicators, and *Not Met for Two or More Years* is the lowest rating for local performance indicators.

Criteria for Determining LEA Eligibility for Differentiated Assistance and Intensive Intervention

Basics (Priority 1)

- *Not Met for Two or More Years* on Local Performance Indicator

Implementation of State Academic Standards (Priority 2)

- *Not Met for Two or More Years* on Local Performance Indicator

Parent Engagement (Priority 3)

- *Not Met for Two or More Years* on Local Performance Indicator

Pupil Achievement (Priority 4)

- *Red* on both English Language Arts and Math tests OR
- *Red* on English Language Arts or Math test AND *Orange* on the other test OR
- *Red* on the English Learner Indicator (English learner student group only)

Pupil Engagement (Priority 5)

- *Red* on Graduation Rate Indicator OR
- *Red* on Chronic Absence Indicator

School Climate (Priority 6)

- *Red* on Suspension Rate Indicator OR
- *Not Met for Two or More Years* on Local Performance Indicator

Access to and Outcomes in a Broad Course of Study (Priorities 7 & 8)

- *Red* on College/Career Indicator

Coordination of Services for Expelled Pupils – COEs Only (Priority 9)

- *Not Met for Two or More Years* on Local Performance Indicator

Coordination of Services for Foster Youth – COEs Only (Priority 10)

- *Not Met for Two or More Years* on Local Performance Indicator

As explained in the September 2016 agenda item, the LCFF statutes provide that LEA eligibility for differentiated assistance and intensive intervention is based on student group performance in each LCFF priority area.

SBE members requested clarification about how the LCFF evaluation rubrics apply to charter schools. The rest of this Attachment provides additional detail around how the criteria apply to each type of LEA: school districts, county offices of education, and charter schools.

Under LCFF, the SBE was required to adopt evaluation rubrics that include “standards for school district and individual school site performance and expectations for improvement in regard to each of the state priorities.” *EC* 52064.5(c). The SBE adopted performance standards for the state indicators and the local performance indicators that apply consistently to all LEAs and schools, with the exception of alternative schools, which will have a separate set of indicators and standards. Performance relative to these standards determines LEA eligibility for technical assistance or intervention, as specified in the LCFF statutes.

The statutes that apply to school districts and county offices of education are the same and provide that:

- A school district or county office of education is eligible for differentiated assistance if *any student group* met the Criteria for *two or more* LCFF priorities. *Education Code (EC)* sections 52071(b) & 52071.5(b).
- A school district or county office of education is eligible for intensive intervention if *three or more student groups* met the Criteria for *two or more* LCFF priorities in *three out of four consecutive years*. *EC* sections 52072 & 52072.5.

The statutes governing charter schools, however, are different in several key respects, as explained below.

Technical Assistance/Revocation under LCFF. Following the September 2016 meeting, staff met with stakeholders to solicit input on this issue. Some stakeholders raised concerns that charter authorizers may not understand how components of the evaluation rubrics – such as the performance categories for state indicators, the standards for local performance indicators, or the Criteria for determining LEA eligibility for technical assistance under LCFF – apply to charter schools.

EC Section 47605 and *EC* Section 47605.6 apply to charter petitions submitted to school districts and appeals and petitions for county-wide charters, respectively. Both statutes require that the petition contain a reasonably comprehensive description of the annual goals for all students and each student group to be achieved in the LCFF priorities “that apply for the grade levels served, or the nature of the program operated, by the charter school.” *EC* Section 47605(b)(5)(A), *EC* Section 47605.6(b)(5)(A)

Under LCFF, charter schools are governed by *EC* Section 47607.3, which requires the chartering authority to provide technical assistance, and allows the chartering authority to request that the California Collaborative for Educational Excellence (CCEE) provide advice and assistance, to a charter school if all of the following occur:

- the charter school fails to meet the Criteria for *three or more student groups* (or all the student groups if there are less than three student groups),
- in regard to *one or more state or school priority identified in the charter under EC* Section 47605(b)(5)(A) or *EC* Section 47605.6(b)(5)(A),
- for *three out of four consecutive school years*.

EC Section 47607.3(b) further provides that a chartering authority shall consider for revocation any charter school to which the CCEE has provided advice and assistance and the CCEE has made findings that the charter school (1) is unwilling or unable to implement the CCEE's recommendations or (2) that "inadequate performance based on the evaluation rubrics is either so persistent or so acute as to require revocation of the charter." Finally, *EC* Section 47607.3(c) provides that chartering authority "shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school as the most important factor in determining whether to revoke the charter."

Accordingly, staff recommend adding language to the Criteria to clarify that, when using the evaluation rubrics to determine whether charter schools are eligible for technical assistance, referral to the CCEE, or potential revocation under *EC* Section 47607.3, an authorizer may consider only performance on indicators that are included in the charter school's underlying petition. This language will provide important guidance for charter schools and authorizers to help ensure that the use of the evaluation rubrics is consistent with *EC* Section 47607.3.

Charter Renewal under the Charter Schools Act. Some stakeholders also raised concerns that charter authorizers may mistakenly apply the performance standards for state indicators or local performance indicators or the Criteria for determining LEA eligibility for technical assistance under LCFF to charter renewal decisions. Under *EC* Section 47607, charter schools may also seek renewal of a charter and such a renewal shall be for a period of five years.

This section does not reference the evaluation rubrics. Instead, *EC* Section 47607(b) provides that charter schools must meet at least one of four specified criteria, none of which reference or otherwise incorporate the performance standards for state indicators or local performance indicators from the evaluation rubrics. Additionally, *EC* Section 47607(a)(3)(A) provides that the authorizer "shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal."

In summary, the renewal statute does not specify any role for the evaluation rubrics and instead identifies four specific criteria that apply to renewal decisions. Three of the four criteria are based on the Academic Performance Index, which has been suspended for the past three years. The stakeholders are correct that this statute is therefore outdated, but that is a matter for the Legislature to address. The SBE does not have authority to alter these statutory criteria.

Accordingly, staff recommend adding language to the Criteria to determine LEA eligibility for technical assistance and intervention under LCFF clarifying that they do not apply to and are not to be used for charter renewals. This language will provide important guidance for charter schools and authorizers to help ensure that the use of the evaluation rubrics is consistent with the statutory requirements.

Reporting of Performance within the Web-Based Evaluation Rubrics System.

Some stakeholders argued that the LCFF statutes give charter schools the discretion to determine whether their performance on the state and local indicators is reported through the evaluation rubrics and whether the performance categories for the state indicators apply charter schools, based on which of the LCFF eight priorities are identified in the charter petition.

That interpretation, however, is not consistent with transparency or the SBE's goal of develop a single, coherent accountability system. Thus, where state-level data are available for charter schools, performance will be calculated using the approved methodology, with the results reported through the web-based rubrics system to assure transparency about performance of charter schools. The web-based rubrics system will report information about the local performance indicators if the charter school has completed the self-assessment for priorities that are identified in their petitions. The proposed clarifications to the approved criteria discussed above address the concerns about misuse of the evaluation rubrics by authorizers in decisions regarding the provision of technical assistance, revocation, or renewal.

Recommendation. Staff recommend that the SBE modify the Criteria for technical assistance and intervention approved at the September 2016 meeting to clarify how the Criteria apply to each LEA type, including the role of the evaluation rubrics in (1) determining eligibility of charter schools for technical assistance and revocation under LCFF, governed by *EC* Section 47607.3, and (2) the charter renewal process, governed by *EC* Section 47607.

Specifically, staff recommend incorporating the following language into the Criteria:

Application of Criteria to School Districts, County Offices of Education, and Charter Schools.

A school district or county office of education is eligible for technical assistance if *any student group* met the Criteria for *two or more* LCFF priorities. *Education Code (EC) 52071(b) & 52071.5(b).*

A school district or county office of education is eligible for intervention if *three or more student groups* (or all the student groups if there are less than three student groups) met the Criteria for *two or more* LCFF priorities in *three out of four consecutive years*. *EC sections 52072 & 52072.5.*

A charter school is eligible for technical assistance and may be referred to the California Collaborative for Educational Excellence if *three or more student groups* (or all the student groups if there are less than three student groups) met the Criteria for *one or more state or school priority identified in the charter* for *three out of four consecutive school years*. *EC Section 47607.3.*

When using the evaluation rubrics to determine charter school eligibility for technical assistance, referral to the California Collaborative for Educational Excellence, or potential revocation under *EC Section 47607.3*, an authorizer may consider only performance on indicators that are included in the charter school's underlying petition. Additionally, the Criteria for determining LEA eligibility for technical assistance and intervention under LCFF do not apply to and are not to be used for charter renewals under *EC Section 47607*.

Draft Timeline for the Integrated, Local, State, and Federal Accountability and Continuous Improvement System, Including Outreach with Stakeholders

Since the State Board of Education (SBE) adopted the initial phase of the Local Control Funding Formula (LCFF) evaluation rubrics at its September 2016 meeting, staff have incorporated the feedback from the stakeholder input sessions and work groups to inform the academic performance state indicator, the local performance indicators, and data displays for the web-based user interface that will be made available in the LCFF evaluation rubrics. The prototype for the initial phase of the LCFF rubrics is flexible and intended to evolve based on user experiences and stakeholder feedback. Staff will continue to analyze feedback to make recommendations for system improvements. Below is a summary of the stakeholder input opportunities that were provided since the September 2016 meeting and an updated timeline of future accountability and continuous improvement tasks to be completed.

- *California Practitioners Advisory Group (CPAG)*: The CPAG is an advisory committee to the SBE (<http://www.cde.ca.gov/be/cc/cp/>) that met on September 29, 2016 (<http://www.cde.ca.gov/be/cc/cp/cpag2016agendasept29.asp>) and again on October 13, 2016 (<http://www.cde.ca.gov/be/cc/cp/cpag2016agendaoct13.asp>). The CPAG provided feedback on preliminary concepts for the Every Student Succeeds Act (ESSA) State Plan, the revised version of the Local Control and Accountability Plan (LCAP) and Annual Update template, and the LCFF evaluation rubrics local performance indicators. The CPAG recommendations on the Academic Performance Indicator are in Attachment 1 and the discussion and recommendations on the local performance indicators are in Attachment 2. The next CPAG meeting is scheduled for December 7, 2016.
- *Equity and Policy Stakeholder Input Working Group*: WestEd, on behalf of the California Department of Education (CDE) and State Board of Education (SBE), hosted webinars for representatives from statewide and community-based organizations to review draft top-level data displays and standard reports that will be used to prepopulate the initial phase of the web based version of the LCFF evaluation rubrics : <https://lcff.wested.org/lcff-channel/evaluation-rubric-videos/evaluation-rubrics-design-webinar-august-26-2016/>. A summary of the feedback is posted on the WestEd LCFF Web page: https://lcff.wested.org/wp-content/uploads/2016/08/August-26-webinar-summary_final.pdf. A second webinar was presented to review the LCAP redesign <https://lcff.wested.org/lcff-channel/lcap-webinars/tour-of-the-proposed-lcap-and-annual-update-template-redesign-webinar/>. A summary of the feedback is posted on the WestEd LCFF Web page: <https://lcff.wested.org/local-control-accountability-plan-template-redesign-feedback-summary-october-2016/>.
- *School Conditions and Climate Work Group*: The School Conditions and Climate Work Group (CCWG) has convened two meetings conducted via a webinar to review and discuss school conditions and climate resources and the proposed work plan. A third webinar meeting is scheduled in October and the group will convene in

person, followed by a stakeholder input session in November. More information on the group membership and detailed work plan is located on the WestEd LCFF website at <https://lcff.wested.org/school-conditions-and-climate-group-scope-of-work/>. WestEd, on behalf of the CDE, will host a webinar on school conditions and climate on October 28th (please see <https://lcff.wested.org/> for more details).

- *English Learner Indicator Work Group*: As outlined in a Memorandum to the SBE on October 12, 2016 (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-amard-oct16item02.doc>), the ELI Work Group is comprised of the following members:

Name	Title	LEA/Organization
Gil Diaz	Director, Language Support Services	Colton Joint Unified School District
Martha Hernandez	Assistant Superintendent, Education Services	Fillmore Unified School District
Adela Jones	Associate Superintendent, Curriculum and Instruction	Sanger Unified School District
Magaly Lavadenz	Director, Center for Equity for English Learners (CEEL) Educational Leadership	Loyola Marymount University
Robert Linqunti	Project Director and Senior Researcher	WestEd
Jan Mayer	Curriculum Specialist	Sacramento County Office of Education
Martin Macias	Superintendent	Golden Plains Unified School District
Veronica Miranda-Pinkney	Classroom Teacher	San Jose Unified School District
Antonio Mora	Director, Assessment Accountability and Evaluation Unit	San Diego County Office of Education
Kimberly Rodriguez	Senior Education Consultant	Office of Senate President pro Tempore Kevin de León
Yee Wan	Director, Multilingual Education Services	Santa Clara County Office of Education

The first ELI Work Group meeting was conducted via Webinar on October 5, 2016. ELI Work Group members were provided an overview of the new California Accountability Model, with a focus on the state indicators. The ELI Work Group provided feedback on definition of LTEL for data simulation purposes. The ELI Work Group will meet in December 2016 and in January and March of 2017. The CDE will hold a Webinar in January 2017 to obtain feedback from educational stakeholders on the continued development of the ELI.

- *Statements of Model Practices*: Implementing the State Board of Education’s (SBE) request to integrate “Statements of Model Practice” with the LCFF Evaluation Rubrics, CDE staff have been working with the draft statements presented to the SBE in June 2016 (see: <http://www.cde.ca.gov/be/pn/im/infomemojun2016.asp>). These are intended to be “descriptions of research-supported and evidence-based practices related to the indicators that may be helpful to LEAs in their analysis of progress.” As described in the June memo, these statements will also link to

additional resources and sources of expert assistance (e.g., CDE Digital Library, CDE LCFF Resources webpage, the web site for the California Collaborative for Educational Excellence, etc.). These links will connect users to more detailed information about implementing specific programs or services that align with the statements of model practices. The aim is to support LEAs and their communities as they design and implement continuously more effective Local Control and Accountability Plans. On October 13, 2016, CDE staff provided the California Practitioners Advisory Group (CPAG) with an update on this work, including the development of the statements of model practices, curated resource sets linked to LCFF priorities, curated LCAP exemplars, and the opportunity for practitioners to share resources and collaborate in online environments.

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
August 2016	<p>SBE received a series of Information Memorandum on the following topics:</p> <ul style="list-style-type: none"> • draft timeline and proposed annual review of the LCFF indicators, • a framework for technical assistance, • an update on the college/career indicator and proposed cut-point and performance categories for the state indicators, and • an updated timeline to revise the LCAP template. 	<p><i>Early August-Continue receiving feedback on accountability and continuous improvement:</i></p> <ul style="list-style-type: none"> • Conference Calls • Standing Meetings • Policy Input Sessions <p><i>Work Groups:</i></p> <ul style="list-style-type: none"> • CDE convenes the school conditions and climate work group
September 2016	<p><i>LCFF Evaluation Rubrics:</i></p> <p>Initial Phase of the Local Control Funding Formula (LCFF) Evaluation Rubrics for SBE Adoption.</p> <ul style="list-style-type: none"> • Performance categories for CAASPP, English Learner Proficiency, Graduation Rate, Suspension Rate, and College/Career Readiness. • Criteria to determine eligibility for technical assistance based on performance on all LCFF priorities. • Design dimensions for the evaluation rubrics web application that includes, but is not limited to, the top-level data display, equity report, and standard reports. • CDE provides an update on the working groups to explore school conditions and climate and English learner proficiency indicator. <p><i>ESSA State Plan:</i></p> <ul style="list-style-type: none"> • Overview of the law and plan requirements, review of stakeholder feedback 	<p><i>California Practitioners Advisory Group (CPAG) Meeting:</i></p> <ul style="list-style-type: none"> • CPAG provides feedback on draft ESSA State Plan • CPAG reviews plan for future work on state and local indicators (e.g., college /career readiness) • CPAG reviews the plan to revise the LCAP template <p><i>Work Groups:</i></p> <ul style="list-style-type: none"> • CDE convenes the school conditions and climate work group <p>Proposed Information Memorandum on updated draft for revised LCAP template and instructions</p>

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
October 2016		<p><i>California Practitioners Advisory Group (CPAG) Meeting:</i></p> <ul style="list-style-type: none"> • CPAG provides feedback on draft ESSA State Plan • CPAG reviews draft standards for the LCFF local performance measures <p><i>Early October-Continue receiving feedback on accountability and continuous improvement:</i></p> <ul style="list-style-type: none"> • Conference Calls • Standing Meetings • Policy Input Sessions <p><i>Work Groups:</i></p> <ul style="list-style-type: none"> • School conditions and climate work group will provide opportunities for stakeholder input • CDE convenes the English Learner Indicator work group <p>Proposed Information Memorandum on local indicators</p>
November 2016	<p><i>LCFF Evaluation Rubrics:</i></p> <p>Update on local indicators to measure state priorities not addressed by the state indicators (e.g., priorities 1,2,3,6,7,8,9,10) and implications for state performance standards based on stakeholder input gathered in October 2016</p>	<p><i>LCFF Evaluation Rubrics:</i></p> <ul style="list-style-type: none"> • California Collaborative for Educational Excellence (CCEE) workshop trainings

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
<p>November 2016</p>	<p>CDE provides an update on the School Conditions and Climate work group and the English Learner Indicator work group. CDE also provides an update on the Statements of Model Practices.</p> <p><i>LCAP Template:</i></p> <p>Final changes to the LCAP template for SBE adoption.</p> <p><i>ESSA State Plan:</i></p> <p>CDE presents first draft of ESSA State Plan based on stakeholder input, including CPAG comments, for SBE review.</p>	<p><i>ESSA State Plan:</i></p> <ul style="list-style-type: none"> • ESSA State Plan extended public comment period begins November 18 • ESSA State Plan Stakeholder Outreach Phase 2 begins • Webinars • Regional meetings • Survey • Stakeholder engagement toolkit
<p>December 2016</p>		<p><i>California Practitioners Advisory Group (CPAG) Meeting:</i></p> <ul style="list-style-type: none"> • Provides feedback on ESSA State Plan Update • Update on the proposal to review the LCFF evaluation rubrics state and local indicators and statements of model practices <p><i>Work Groups:</i></p> <ul style="list-style-type: none"> • CDE convenes the school conditions and climate work group • School conditions and climate work group will provide opportunities for stakeholder input • CDE convenes the English Learner Indicator work group
<p>January 2017</p>	<p><i>LCFF Evaluation Rubrics:</i></p> <ul style="list-style-type: none"> • CDE presents preliminary recommendations to the SBE for transition plan to support 	<p><i>ESSA State Plan:</i></p> <p>30 day public comment period closes January 20</p>

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
<p>January 2017</p>	<p>the use of school conditions and climate measures in the accountability and continuous improvement system.</p> <p><i>ESSA State Plan:</i></p> <p>Second Draft ESSA State Plan for SBE Review.</p> <ul style="list-style-type: none"> • CDE revises ESSA State Plan based on stakeholder feedback, including the input provided by the CPAG. 	<p>Stakeholder Outreach Phase 2 ends</p> <p><i>Work Groups:</i></p> <ul style="list-style-type: none"> • CDE convenes the English Learner Indicator work group
<p>February 2017</p>		<p><i>Early February-Continue receiving feedback on accountability and continuous improvement:</i></p> <ul style="list-style-type: none"> • Conference Calls • Standing Meetings • Policy Input Sessions <p><i>California Practitioners Advisory Group (CPAG) Meeting</i></p> <ul style="list-style-type: none"> • Reviews public comments on ESSA state plan and makes recommendations • Advise SBE on annual review of evaluation rubrics state and local indicators <p>Proposed Information Memorandum on the English Learner Indicator</p>
<p>March 2017</p>	<p><i>LCFF Evaluation Rubrics:</i></p> <p>Annual review of evaluation rubrics, which may include, but is not necessarily limited to the following:</p> <ul style="list-style-type: none"> • CAASPP performance categories • English Learner Indicator 	<p><i>Work Groups:</i></p> <ul style="list-style-type: none"> • CDE convenes the English Learner Indicator working group

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
<p>March 2017</p>	<ul style="list-style-type: none"> • Suspension Rate and School Climate • Academic Engagement • College/Career Indicator <p><i>ESSA State Plan:</i></p> <p>Third Draft ESSA State Plan for SBE Review.</p> <ul style="list-style-type: none"> • CDE revises ESSA State Plan based on stakeholder feedback, including the input provided by the CPAG. 	
<p>April 2017</p>		<p><i>Early April-Continue receiving feedback on accountability and continuous improvement:</i></p> <ul style="list-style-type: none"> • Conference Calls • Standing Meetings • Policy Input Sessions <p><i>California Practitioners Advisory Group (CPAG) Meeting</i></p> <ul style="list-style-type: none"> • Reviews progress on pilot of state and local indicators, feedback from SBE on annual review • Reviews alignment of ESSA state plan to LCFF evaluation rubrics (e.g., plan alignment activities)
<p>May 2017</p>	<p><i>LCFF Evaluation Rubrics:</i></p> <p>CDE presents recommendations to the SBE for transition plan to support the use of the English Learner Indicator in the accountability and continuous improvement system.</p>	

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
	<p><i>ESSA State Plan:</i></p> <p>SBE reviews CPAG feedback, CPAG recommendations on public comment, and provisionally approves ESSA State Plan (pending suggested amendments)</p>	
<p>June 2017</p>		<p><i>Early June-Continue receiving feedback on accountability and continuous improvement:</i></p> <ul style="list-style-type: none"> • Conference Calls • Standing Meetings • Policy Input Sessions <p><i>California Practitioners Advisory Group (CPAG) Meeting</i></p> <ul style="list-style-type: none"> • Update on state and local indicator pilots and implications for standards and technical assistance
<p>July 2017</p>	<p><i>ESSA State Plan:</i></p> <p>Submit California ESSA Consolidated State Plan to ED</p> <p>New Accountability System begins July 2017.</p> <p>The ESSA State Plan takes effect 2017-18 and implements process to identify schools for assistance.</p>	
<p>August 2017</p>		<p><i>Early August-Continue receiving feedback on accountability and continuous improvement:</i></p> <ul style="list-style-type: none"> • Conference Calls • Standing Meetings • Policy Input Sessions

Timeframe	SBE Review and Decision Points	Ongoing Development and Tasks
		<p><i>California Practitioners Advisory Group (CPAG) Meeting</i></p> <ul style="list-style-type: none"> Review proposal to revise evaluation rubrics based on the state and local indicator pilots and SBE annual review at the March SBE meeting
September 2017	<p><i>LCFF Evaluation Rubrics:</i> Possible action to revise the evaluation rubrics based on the annual review completed in March 2017, any updated data elements and indicators based on stakeholder input.</p>	
2018-19	<p>The new technical assistance, support, and interventions under LCFF and ESSA are implemented.</p>	

Note: Dates and proposed development activities are subject to change. The table will be updated and presented at future SBE meetings.

California Education Code Sections 52064.5, 47607, 47607.3, 52071, 52071.5, 52072, 52072.5, 52060, 52066, 52064, and 52052

Please note: the California *Education Code* sections referenced below do not reflect the changes included in the 2016-2017 budget adoption and the enacted revisions to legislation through the recently passed budget bills.

Education Code Section 52064.5.

(a) On or before October 1, 2016, the state board shall adopt evaluation rubrics for all of the following purposes:

(1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement.

(2) To assist a county superintendent of schools in identifying school districts and charter schools in need of technical assistance pursuant to Section 52071 or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused.

(3) To assist the Superintendent in identifying school districts for which intervention pursuant to Section 52072 is warranted.

(b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in subdivision (d) of Section 52060.

(c) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectations for improvement in regard to each of the state priorities described in subdivision (d) of Section 52060.

Education Code Section 47607.

(a) (1) A charter may be granted pursuant to Sections 47605, 47605.5, and 47606 for a period not to exceed five years. A charter granted by a school district governing board, a county board of education, or the state board may be granted one or more subsequent renewals by that entity. Each renewal shall be for a period of five years. A material revision of the provisions of a charter petition may be made only with the approval of the authority that granted the charter. The authority that granted the charter may inspect or observe any part of the charter school at any time.

(2) Renewals and material revisions of charters are governed by the standards and criteria in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.

(3) (A) The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to grant a charter renewal.

(B) For purposes of this section, "all groups of pupils served by the charter school" means a numerically significant pupil subgroup, as defined by paragraph (3) of subdivision (a) of Section 52052, served by the charter school.

(b) Commencing on January 1, 2005, or after a charter school has been in operation for four years, whichever date occurs later, a charter school shall meet at least one of the

following criteria before receiving a charter renewal pursuant to paragraph (1) of subdivision (a):

- (1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.
 - (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.
 - (3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.
 - (4) (A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.
(B) The determination made pursuant to this paragraph shall be based upon all of the following:
 - (i) Documented and clear and convincing data.
 - (ii) Pupil achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 for demographically similar pupil populations in the comparison schools.
 - (iii) Information submitted by the charter school.(C) A chartering authority shall submit to the Superintendent copies of supporting documentation and a written summary of the basis for any determination made pursuant to this paragraph. The Superintendent shall review the materials and make recommendations to the chartering authority based on that review. The review may be the basis for a recommendation made pursuant to Section 47604.5.
(D) A charter renewal may not be granted to a charter school prior to 30 days after that charter school submits materials pursuant to this paragraph.
 - (5) Qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052.
- (c) (1) A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:
- (A) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
 - (B) Failed to meet or pursue any of the pupil outcomes identified in the charter.
 - (C) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
 - (D) Violated any provision of law.
- (2) The authority that granted the charter shall consider increases in pupil academic achievement for all groups of pupils served by the charter school as the most important factor in determining whether to revoke a charter.
- (d) Before revocation, the authority that granted the charter shall notify the charter school of any violation of this section and give the school a reasonable opportunity to

remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

(e) Before revoking a charter for failure to remedy a violation pursuant to subdivision (d), and after expiration of the school's reasonable opportunity to remedy without successfully remedying the violation, the chartering authority shall provide a written notice of intent to revoke and notice of facts in support of revocation to the charter school. No later than 30 days after providing the notice of intent to revoke a charter, the chartering authority shall hold a public hearing, in the normal course of business, on the issue of whether evidence exists to revoke the charter. No later than 30 days after the public hearing, the chartering authority shall issue a final decision to revoke or decline to revoke the charter, unless the chartering authority and the charter school agree to extend the issuance of the decision by an additional 30 days. The chartering authority shall not revoke a charter, unless it makes written factual findings supported by substantial evidence, specific to the charter school, that support its findings.

(f) (1) If a school district is the chartering authority and it revokes a charter pursuant to this section, the charter school may appeal the revocation to the county board of education within 30 days following the final decision of the chartering authority.

(2) The county board of education may reverse the revocation decision if the county board of education determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The school district may appeal the reversal to the state board.

(3) If the county board of education does not issue a decision on the appeal within 90 days of receipt, or the county board of education upholds the revocation, the charter school may appeal the revocation to the state board.

(4) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence. The state board may uphold the revocation decision of the school district if the state board determines that the findings made by the chartering authority under subdivision (e) are supported by substantial evidence.

(g) (1) If a county office of education is the chartering authority and the county board of education revokes a charter pursuant to this section, the charter school may appeal the revocation to the state board within 30 days following the decision of the chartering authority.

(2) The state board may reverse the revocation decision if the state board determines that the findings made by the chartering authority under subdivision (e) are not supported by substantial evidence.

(h) If the revocation decision of the chartering authority is reversed on appeal, the agency that granted the charter shall continue to be regarded as the chartering authority.

(i) During the pendency of an appeal filed under this section, a charter school, whose revocation proceedings are based on subparagraph (A) or (B) of paragraph (1) of subdivision (c), shall continue to qualify as a charter school for funding and for all other purposes of this part, and may continue to hold all existing grants, resources, and facilities, in order to ensure that the education of pupils enrolled in the school is not disrupted.

(j) Immediately following the decision of a county board of education to reverse a decision of a school district to revoke a charter, the following shall apply:

- (1) The charter school shall qualify as a charter school for funding and for all other purposes of this part.
- (2) The charter school may continue to hold all existing grants, resources, and facilities.
- (3) Any funding, grants, resources, and facilities that had been withheld from the charter school, or that the charter school had otherwise been deprived of use, as a result of the revocation of the charter shall be immediately reinstated or returned.
- (k) A final decision of a revocation or appeal of a revocation pursuant to subdivision (c) shall be reported to the chartering authority, the county board of education, and the department.

Education Code Section 47607.3.

(a) If a charter school fails to improve outcomes for three or more pupil subgroups identified pursuant to Section 52052, or, if the charter school has less than three pupil subgroups, all of the charter school's pupil subgroups, in regard to one or more state or school priority identified in the charter pursuant to subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605 or subparagraph (A) of paragraph (5) of subdivision (b) of Section 47605.6, in three out of four consecutive school years, all of the following shall apply:

(1) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the chartering authority shall provide technical assistance to the charter school.

(2) The Superintendent may assign, at the request of the chartering authority and with the approval of the state board, the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Section 52074.

(b) A chartering authority shall consider for revocation any charter school to which the California Collaborative for Educational Excellence has provided advice and assistance pursuant to subdivision (a) and about which it has made either of the following findings, which shall be submitted to the chartering authority:

(1) That the charter school has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(2) That the inadequate performance of the charter school, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or so acute as to require revocation of the charter.

(c) The chartering authority shall consider increases in pupil academic achievement for all pupil subgroups served by the charter school as the most important factor in determining whether to revoke the charter.

(d) A chartering authority shall comply with the hearing process described in subdivision (e) of Section 47607 in revoking a charter. A charter school may not appeal a revocation of a charter made pursuant to this section.

Education Code Section 52071.

(a) If a county superintendent of schools does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a governing board of a school district, or if the governing board of a school

district requests technical assistance, the county superintendent of schools shall provide technical assistance, including, among other things, any of the following:

- (1) Identification of the school district's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52060, communicated in writing to the school district. This identification shall include a review of effective, evidence-based programs that apply to the school district's goals.
 - (2) Assignment of an academic expert or team of academic experts to assist the school district in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The county superintendent of schools may also solicit another school district within the county to act as a partner to the school district in need of technical assistance.
 - (3) Request that the Superintendent assign the California Collaborative for Educational Excellence to provide advice and assistance to the school district.
- (b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the county superintendent of schools shall provide the technical assistance described in subdivision (a) to any school district that fails to improve pupil achievement across more than one state priority described in subdivision (d) of Section 52060 for one or more pupil subgroup identified pursuant to Section 52052.
- (c) Technical assistance provided pursuant to this section at the request of a school district shall be paid for by the school district requesting the assistance.

Education Code Section 52071.5.

- (a) If the Superintendent does not approve a local control and accountability plan or annual update to the local control and accountability plan approved by a county board of education, or if the county board of education requests technical assistance, the Superintendent shall provide technical assistance, including, among other things, any of the following:
- (1) Identification of the county board of education's strengths and weaknesses in regard to the state priorities described in subdivision (d) of Section 52066, communicated in writing to the county board of education. This identification shall include a review of effective, evidence-based programs that apply to the board's goals.
 - (2) Assignment of an academic expert or team of academic experts, or the California Collaborative for Educational Excellence established pursuant to Section 52074, to assist the county board of education in identifying and implementing effective programs that are designed to improve the outcomes for all pupil subgroups identified pursuant to Section 52052. The Superintendent may also solicit another county office of education to act as a partner to the county office of education in need of technical assistance.
- (b) Using an evaluation rubric adopted by the state board pursuant to Section 52064.5, the Superintendent shall provide the technical assistance described in subdivision (a) to any county office of education that fails to improve pupil achievement in regard to more than one state priority described in subdivision (d) of Section 52066 for one or more pupil subgroups identified pursuant to Section 52052.

(c) Technical assistance provided pursuant to this section at the request of a county board of education shall be paid for by the county board of education receiving assistance.

Education Code Section 52072.

(a) The Superintendent may, with the approval of the state board, identify school districts in need of intervention.

(b) The Superintendent shall only intervene in a school district that meets both of the following criteria:

(1) The school district did not improve the outcomes for three or more pupil subgroups identified pursuant to Section 52052 or, if the school district has less than three pupil subgroups, all of the school district's pupil subgroups, in regard to more than one state or local priority in three out of four consecutive school years.

(2) The California Collaborative for Educational Excellence has provided advice and assistance to the school district pursuant to Section 52071 and submits either of the following findings to the Superintendent:

(A) That the school district has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(B) That the inadequate performance of the school district, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For school districts identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the governing board of the school district.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the school district to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the school district from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.

(d) The Superintendent shall notify the county superintendent of schools, the county board of education, the superintendent of the school district, and the governing board of the school district of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.

Education Code Section 52072.5.

(a) The Superintendent may, with the approval of the state board, identify county offices of education in need of intervention.

(b) The Superintendent shall only intervene in a county office of education that meets both of the following criteria:

(1) The county office of education did not improve the outcomes for three or more pupil subgroups identified pursuant to Section 52052 or, if the county office of education has less than three pupil subgroups, all of the county office of education's pupil subgroups, in regard to more than one state or local priority in three out of four consecutive school years.

(2) The California Collaborative for Educational Excellence has provided advice and assistance to the county office of education pursuant to Section 52071.5 and submits either of the following findings to the Superintendent:

(A) That the county office of education has failed, or is unable, to implement the recommendations of the California Collaborative for Educational Excellence.

(B) That the inadequate performance of the county office of education, based upon an evaluation rubric adopted pursuant to Section 52064.5, is either so persistent or acute as to require intervention by the Superintendent.

(c) For county offices of education identified pursuant to subdivision (a), the Superintendent may, with the approval of the state board, do one or more of the following:

(1) Make changes to a local control and accountability plan adopted by the county board of education.

(2) Develop and impose a budget revision, in conjunction with revisions to the local control and accountability plan, that the Superintendent determines would allow the county office of education to improve the outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state and local priorities.

(3) Stay or rescind an action, if that action is not required by a local collective bargaining agreement, that would prevent the county office of education from improving outcomes for all pupil subgroups identified pursuant to Section 52052 in regard to state or local priorities.

(4) Appoint an academic trustee to exercise the powers and authority specified in this section on his or her behalf.

(d) The Superintendent shall notify the county board of education and the county superintendent of schools, in writing, of any action by the state board to direct him or her to exercise any of the powers and authorities specified in this section.

Education Code Section 52060.

(a) On or before July 1, 2014, the governing board of each school district shall adopt a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the governing board of a school district shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by the governing board of a school district shall include, for the school district and each school within the school district, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d) and for any additional local priorities identified by the governing board of the school district. For purposes of this article, a subgroup of pupils identified pursuant to Section 52052 shall be a numerically significant pupil subgroup as specified in paragraphs (2) and (3) of subdivision (a) of Section 52052.

(2) A description of the specific actions the school district will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the school district.

(d) All of the following are state priorities:

(1) The degree to which the teachers of the school district are appropriately assigned in accordance with Section 44258.9, and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the school district has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair, as defined in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to former Section 60811.3, as that section read on June 30, 2013, or Section 60811.4, for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the school district makes to seek parent input in making decisions for the school district and each individual schoolsite, and including how the school district will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including,

but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the programs and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), the governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

Education Code Section 52066.

(a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by a county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by a county board of education shall include, for each school or program operated by the county superintendent of schools, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d), as applicable to the pupils served, and for any additional local priorities identified by the county board of education.

(2) A description of the specific actions the county superintendent of schools will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state priorities listed in paragraph (1) of subdivision (d). The specific actions shall not supersede the provisions of existing local collective bargaining agreements within the jurisdiction of the county superintendent of schools.

(d) All of the following are state priorities:

(1) The degree to which the teachers in the schools or programs operated by the county superintendent of schools are appropriately assigned in accordance with Section 44258.9 and fully credentialed in the subject areas, and, for the pupils they are teaching, every pupil in the schools or programs operated by the county superintendent of schools has sufficient access to the standards-aligned instructional materials as determined pursuant to Section 60119, and school facilities are maintained in good repair as specified in subdivision (d) of Section 17002.

(2) Implementation of the academic content and performance standards adopted by the state board, including how the programs and services will enable English learners to access the common core academic content standards adopted pursuant to Section 60605.8 and the English language development standards adopted pursuant to Section

60811.3 for purposes of gaining academic content knowledge and English language proficiency.

(3) Parental involvement, including efforts the county superintendent of schools makes to seek parent input in making decisions for each individual schoolsite and program operated by a county superintendent of schools, and including how the county superintendent of schools will promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of 3 or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

(C) Other local measures, including surveys of pupils, parents, and teachers on the sense of safety and school connectedness.

(7) The extent to which pupils have access to, and are enrolled in, a broad course of study that includes all of the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable, including the programs and services developed and provided to unduplicated pupils and individuals with exceptional needs, and the program and services that are provided to benefit these pupils as a result of the funding received pursuant to Section 42238.02, as implemented by Section 42238.03.

(8) Pupil outcomes, if available, in the subject areas described in Section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable.

(9) How the county superintendent of schools will coordinate instruction of expelled pupils pursuant to Section 48926.

(10) How the county superintendent of schools will coordinate services for foster children, including, but not limited to, all of the following:

(A) Working with the county child welfare agency to minimize changes in school placement.

(B) Providing education-related information to the county child welfare agency to assist the county child welfare agency in the delivery of services to foster children, including, but not limited to, educational status and progress information that is required to be included in court reports.

(C) Responding to requests from the juvenile court for information and working with the juvenile court to ensure the delivery and coordination of necessary educational services.

(D) Establishing a mechanism for the efficient expeditious transfer of health and education records and the health and education passport.

(e) For purposes of the descriptions required by subdivision (c), a county board of education may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The county superintendent of schools shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the county office of education, parents, and pupils in developing a local control and accountability plan.

(h) A county board of education may identify local priorities, goals in regard to the local priorities, and the method for measuring the county office of education's progress toward achieving those goals.

Education Code Section 52064.

(a) On or before March 31, 2014, the state board shall adopt templates for the following purposes:

(1) For use by school districts to meet the requirements of Sections 52060 to 52063, inclusive.

(2) For use by county superintendents of schools to meet the requirements of Sections 52066 to 52069, inclusive.

(3) For use by charter schools to meet the requirements of Section 47606.5.

(b) The templates developed by the state board shall allow a school district, county superintendent of schools, or charter school to complete a single local control and accountability plan to meet the requirements of this article and the requirements of the federal No Child Left Behind Act of 2001 related to local educational agency plans pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110. The state board shall also take steps to minimize duplication of effort at the local level to the greatest extent possible. The template shall include guidance for school districts, county superintendents of schools, and charter schools to report both of the following:

(1) A listing and description of expenditures for the 2014–15 fiscal year, and each fiscal year thereafter, implementing the specific actions included in the local control and accountability plan.

(2) A listing and description of expenditures for the 2014–15 fiscal year, and each fiscal year thereafter, that will serve the pupils to whom one or more of the definitions in Section 42238.01 apply and pupils redesignated as fluent English proficient.

(c) If possible, the templates identified in paragraph (2) of subdivision (a) for use by county superintendents of schools shall allow a county superintendent of schools to develop a single local control and accountability plan that would also satisfy the requirements of Section 48926.

(d) The state board shall adopt the template pursuant to the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The state board may adopt emergency regulations for purposes of implementing this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

(e) Notwithstanding subdivision (d), the state board may adopt the template in accordance with the requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). When adopting the template pursuant to the requirements of the Bagley-Keene Open Meeting Act, the state board shall present the template at a regular meeting and may only take action to adopt the template at a subsequent regular meeting. This subdivision shall become inoperative on January 31, 2018.

(f) Revisions to a template or evaluation rubric shall be approved by the state board by January 31 before the fiscal year during which the template or evaluation rubric is to be used by a school district, county superintendent of schools, or charter school.

(g) The adoption of a template or evaluation rubric by the state board shall not create a requirement for a governing board of a school district, a county board of education, or a governing body of a charter school to submit a local control and accountability plan to

the state board, unless otherwise required by federal law. The Superintendent shall not require a local control and accountability plan to be submitted by a governing board of a school district or the governing body of a charter school to the state board. The state board may adopt a template or evaluation rubric that would authorize a school district or a charter school to submit to the state board only the sections of the local control and accountability plan required by federal law.

Education Code Section 52052.

(a) (1) The Superintendent, with the approval of the state board, shall develop an Academic Performance Index (API), to measure the performance of schools and school districts, especially the academic performance of pupils.

(2) A school or school district shall demonstrate comparable improvement in academic achievement as measured by the API by all numerically significant pupil subgroups at the school or school district, including:

- (A) Ethnic subgroups.
- (B) Socioeconomically disadvantaged pupils.
- (C) English learners.
- (D) Pupils with disabilities.
- (E) Foster youth.
- (F) Homeless youth.

(3) (A) For purposes of this section, a numerically significant pupil subgroup is one that consists of at least 30 pupils, each of whom has a valid test score.

(B) Notwithstanding subparagraph (A), for a subgroup of pupils who are foster youth or homeless youth, a numerically significant pupil subgroup is one that consists of at least 15 pupils.

(C) For a school or school district with an API score that is based on no fewer than 11 and no more than 99 pupils with valid test scores, numerically significant pupil subgroups shall be defined by the Superintendent, with approval by the state board.

(4) (A) The API shall consist of a variety of indicators currently reported to the department, including, but not limited to, the results of the achievement test administered pursuant to Section 60640, attendance rates for pupils in elementary schools, middle schools, and secondary schools, and the graduation rates for pupils in secondary schools.

(B) The Superintendent, with the approval of the state board, may also incorporate into the API the rates at which pupils successfully promote from one grade to the next in middle school and high school, and successfully matriculate from middle school to high school.

(C) Graduation rates for pupils in secondary schools shall be calculated for the API as follows:

(i) Four-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be three school

years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (ii).

(ii) The number of pupils entering grade 9 for the first time in the school year three school years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was three school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was three school years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(iii) Five-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be four school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (iv).

(iv) The number of pupils entering grade 9 for the first time in the school year four years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was four school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was four years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(v) Six-year graduation rates shall be calculated by taking the number of pupils who graduated on time for the current school year, which is considered to be five school years after the pupils entered grade 9 for the first time, and dividing that number by the total calculated in clause (vi).

(vi) The number of pupils entering grade 9 for the first time in the school year five years before the current school year, plus the number of pupils who transferred into the class graduating at the end of the current school year between the school year that was five school years before the current school year and the date of graduation, less the number of pupils who transferred out of the school between the school year that was five years before the current school year and the date of graduation who were members of the class that is graduating at the end of the current school year.

(D) The inclusion of five- and six-year graduation rates for pupils in secondary schools shall meet the following requirements:

(i) Schools and school districts shall be granted one-half the credit in their API scores for graduating pupils in five years that they are granted for graduating pupils in four years.

(ii) Schools and school districts shall be granted one-quarter the credit in their API scores for graduating pupils in six years that they are granted for graduating pupils in four years.

(iii) Notwithstanding clauses (i) and (ii), schools and school districts shall be granted full credit in their API scores for graduating in five or six years a pupil with disabilities who graduates in accordance with his or her individualized education program.

(E) The pupil data collected for the API that comes from the achievement test administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, when fully implemented, shall be disaggregated by special education status, English learners, socioeconomic status, gender, and ethnic group. Only the test scores of pupils who were counted as part of the enrollment in the annual data collection of the California Basic Educational Data System for the current fiscal year and who were continuously enrolled during that year may be included in the test result reports in the API score of the school.

(F) (i) Commencing with the baseline API calculation in 2016, and for each year thereafter, results of the achievement test and other tests specified in subdivision (b) shall constitute no more than 60 percent of the value of the index for secondary schools.

(ii) In addition to the elements required by this paragraph, the Superintendent, with the approval of the state board, may incorporate into the index for secondary schools valid, reliable, and stable measures of pupil preparedness for postsecondary education and career.

(G) Results of the achievement test and other tests specified in subdivision (b) shall constitute at least 60 percent of the value of the index for primary schools and middle schools.

(H) It is the intent of the Legislature that the state's system of public school accountability be more closely aligned with both the public's expectations for public education and the workforce needs of the state's economy. It is therefore necessary that the accountability system evolve beyond its narrow focus on pupil test scores to encompass other valuable information about school performance, including, but not limited to, pupil preparedness for college and career, as well as the high school graduation rates already required by law.

(I) The Superintendent shall annually determine the accuracy of the graduation rate data. Notwithstanding any other law, graduation rates for pupils in dropout recovery high schools shall not be included in the API. For purposes of this subparagraph, "dropout recovery high school" means a high school in which 50 percent or more of its pupils have been designated as dropouts pursuant to the exit/withdrawal codes developed by the department or left a school and were not otherwise enrolled in a school for a period of at least 180 days.

(J) To complement the API, the Superintendent, with the approval of the state board, may develop and implement a program of school quality review that features locally convened panels to visit schools, observe teachers, interview pupils, and examine pupil work, if an appropriation for this purpose is made in the annual Budget Act.

(K) The Superintendent shall annually provide to local educational agencies and the public a transparent and understandable explanation of the individual components of the API and their relative values within the API.

(L) An additional element chosen by the Superintendent and the state board for inclusion in the API pursuant to this paragraph shall not be incorporated into the API until at least one full school year after the state board's decision to include the element into the API.

(b) Pupil scores from the following tests, when available and when found to be valid and reliable for this purpose, shall be incorporated into the API:

- (1) The standards-based achievement tests provided for in Section 60642.5.
- (2) The high school exit examination.

(c) Based on the API, the Superintendent shall develop, and the state board shall adopt, expected annual percentage growth targets for all schools based on their API baseline score from the previous year. Schools are expected to meet these growth targets through effective allocation of available resources. For schools below the statewide API performance target adopted by the state board pursuant to subdivision (d), the minimum annual percentage growth target shall be 5 percent of the difference between the actual API score of a school and the statewide API performance target, or one API point, whichever is greater. Schools at or above the statewide API performance target shall have, as their growth target, maintenance of their API score above the statewide API performance target. However, the state board may set differential growth targets based on grade level of instruction and may set higher growth targets for the lowest performing schools because they have the greatest room for improvement. To meet its growth target, a school shall demonstrate that the annual growth in its API is equal to or more than its schoolwide annual percentage growth target and that all numerically significant pupil subgroups, as defined in subdivision (a), are making comparable improvement.

(d) Upon adoption of state performance standards by the state board, the Superintendent shall recommend, and the state board shall adopt, a statewide API performance target that includes consideration of performance standards and represents the proficiency level required to meet the state performance target.

(e) (1) A school or school district with 11 to 99 pupils with valid test scores shall receive an API score with an asterisk that indicates less statistical certainty than API scores based on 100 or more test scores.

(2) A school or school district annually shall receive an API score, unless the Superintendent determines that an API score would be an invalid measure of the performance of the school or school district for one or more of the following reasons:

(A) Irregularities in testing procedures occurred.

(B) The data used to calculate the API score of the school or school district are not representative of the pupil population at the school or school district.

(C) Significant demographic changes in the pupil population render year-to-year comparisons of pupil performance invalid.

(D) The department discovers or receives information indicating that the integrity of the API score has been compromised.

(E) Insufficient pupil participation in the assessments included in the API.

(F) A transition to new standards-based assessments compromises comparability of results across schools or school districts. The Superintendent may use the authority in this subparagraph in the 2013–14, 2014–15, and 2015-16 school years only, with the approval of the state board.

(3) If a school or school district has fewer than 100 pupils with valid test scores, the calculation of the API or adequate yearly progress pursuant to the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.) and federal regulations may be calculated over more than one annual administration of the tests administered pursuant to Section 60640 and the high school exit examination administered pursuant to Section 60851, consistent with regulations adopted by the state board.

(4) Any school or school district that does not receive an API calculated pursuant to subparagraph (F) of paragraph (2) shall not receive an API growth target pursuant to subdivision (c). Schools and school districts that do not have an API calculated pursuant to subparagraph (F) of paragraph (2) shall use one of the following:

(A) The most recent API calculation.

(B) An average of the three most recent annual API calculations.

(C) Alternative measures that show increases in pupil academic achievement for all groups of pupils schoolwide and among significant subgroups.

(f) Only schools with 100 or more test scores contributing to the API may be included in the API rankings.

(g) The Superintendent, with the approval of the state board, shall develop an alternative accountability system for schools under the jurisdiction of a county board of education or a county superintendent of schools, community day schools, nonpublic, nonsectarian schools pursuant to Section 56366, and alternative schools serving high-risk pupils, including continuation high schools and opportunity schools. Schools in the alternative accountability system may receive an API score, but shall not be included in the API rankings.

(h) For purposes of this section, county offices of education shall be considered school districts.

(i) For purposes of this section, "homeless youth" has the same meaning as in Section 11434a(2) of Title 42 of the United States Code.