



March 6, 2015

To: Dr. Michael Kirst, President
Members, California State Board of Education
Tom Torlakson, Superintendent of Public Instruction
Karen Staph-Walters, Executive Director

From: Teri Burns, Senior Director, Policy & Programs

RE: CSBA Comments Regarding the March 11-12, 2015 SBE Agenda

The California School Boards Association (CSBA) is pleased to provide you with comments relative to your upcoming meeting agenda.

Item 1 – Special Education

Recommendation: Approve submission of the State Systemic Improvement Plan

CSBA commends the additional focus on special education at this meeting. We recognize the increasing demand on districts for services for special needs students and the complicated interaction of IEPs with the evolving assessment, accountability and funding systems in California today.

Building LEA capacity to serve diverse student needs continues to be a challenge as both the availability of trained personnel and the costs of specialized services are addressed by districts with very different resources.

Item 2– Special Education

Recommendation: Direct staff to review the recommendations of the Special Education Task Force and determine an implementation strategy

CSBA was pleased to have attended and contributed to the task force meetings and look forward to seeing the final report including recommendations. We look forward to continuing to work with CDE/SBE staff as you review the recommendations and consider policy directions for the future.

Item 3 – Assessment Mega-item

Recommendation: Approve the 2015 CAASPP Individual Student Results Reports

The new format for considering all assessment items together allows for discussion of the interconnectedness of assessments, but can be difficult to identify which items on which the public is prepared to testify. We see merit in both the comprehensive discussion and more specific items and hope the Board will consider handling this item differently at different meetings, as appropriate. Wednesday's item is mostly informational and can realistically be taken together, but this may not always be the case.

The specific action indicated for this meeting is the approval of the individual student results reports which we believe will be much more helpful to parents than those for the STAR exam. We recognize that this is a one-year approval and that it reports only baseline scores. The addition of growth data next year will be very informative for all. We believe the report as proposed provides good context for parents and provides very individualized information. Having this information directly attached with scores is a much appreciated outreach that will head off many questions. With approval of this report we anticipate the CDE will continue to collect input from stakeholders on how it is received and make appropriate changes for next year's version.

Regarding the Smarter Balanced Assessments, our members look forward to the beginning of the testing window and will have input about that process to share following testing. We are watching carefully the bandwidth and other technology issues related to test implementation and the reaction of high-performing students to computer adaptive testing that allows them to be successful on only about half of the questions. We anticipate the latter may require some supports for both students and parents. As to the former, we look forward to an update following the test on how districts giving paper/pencil tests and other districts with limited computer access were accommodated and supported.

We are concerned about the delay in access to the Interim Assessments and associated automatic scoring. We are hopeful that following the administration of the Summative Assessment districts can begin testing the Interim Assessments in earnest to enable their maximum benefit next year.

Item 5 – ESEA Implementation Items

Recommendation: Support efforts by President Kirst and State Superintendent Torlakson to request schools not be assigned new ratings based on CAASPP testing in 2014-15.

Recognizing that the Elementary and Secondary Education Act of 1965 (ESEA) is caught in federal politics and may or may not be reauthorized this year, we believe it is important that California continue to aggressively pursue the "accountability pause" requested from the federal Department of Education. Without comparability data from prior assessments, it is

impossible to apply “safe harbor” provisions, making the new ratings virtually useless to California schools. We support standing firm in this position in continued negotiations with the USDOE.

Item 6 – Accountability

Recommendation: Support approval of PSAA Advisory Committee recommendations to move the state accountability system from a single index to multiple measures and to suspend the API for the 2014-15 school year.

Here again, we have the same administrative concerns as in item 4.

Regarding the PSAA recommendations, we heartily support moving to a multiple measures system of accountability, as was initially envisioned even in the early days of the Academic Performance Index (API). Districts and County Offices of Education are complex entities that serve communities in many different ways, meeting the needs of diverse groups of students and parents. It is critical that schools be judged on how they are serving their communities, not on a single metric.

As we have said before, scores from the first year of the administration of the CAASPP should be used as a baseline and make schools subject to high stakes interventions. We agree that individual scores should be released to parents to allow them to understand their child’s performance, but should not be rolled up into a school or district score that is without context. We concur with the PSAA recommendation to delay an API score until at least fall of 2016 and possibly longer depending on ESEA reauthorization, findings from this year’s administration of the test and other factors.

Rubrics:

CSBA is hosting a LCFF Collaborative Working Group of superintendents and school board members who were pleased to have an initial discussion with Mr. Allen from the SBE staff regarding the LCFF Rubric development. We present here some initial thoughts regarding the conceptual example just released, but will be providing a more lengthy review by the members of the working group soon.

As regard to the setting of specific standards, Education Code section 52064.5(a) requires the SBE to adopt evaluation rubrics. Subdivision (c) adds that, “[a]s part of the[se] rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectation for improvement in regard to each of the state priorities.” The current proposal before the SBE opts for standards that are both specific (i.e., a precise number) and required (i.e., districts will be deemed to have “failed” if they don’t meet the precise number). While the current proposal is consistent with the language of Education Code section 52064.5, these two characteristics – (i) specific and (ii) required – make it contrary to the intent of Local Control. Simply put, it will undermine the community process that is fundamental to Local Control and that districts have been working hard to implement.

To illustrate this point, consider the attendance rate standard. A specific, required standard for attendance set by the SBE cannot possibly be appropriate for every district and every school throughout California. There will be some districts where attendance is a focus for the community; those communities will demand better outcomes than the SBE's precise number. Yet the existence of a specific, required standard will provide a disincentive for districts to adopt a higher number. There will also be districts where the community is focused on other areas and is comfortable with the attendance status quo even if it is below the SBE's precise number. Yet the current proposal requires that such districts be labeled as "failing" to meet the attendance rate standard despite community support for the status quo.

Given these concerns, CSBA proposes an alternate approach – one that is consistent with the language of Education Code section 52064.5 as well as the intent of Local Control. Rather than a specific, required standard, the SBE should set a standard that provides a range and from which districts can deviate if they explain their rationale for doing so. As applied to the attendance rate standard, this alternate approach would mean that the SBE establishes an attendance rate range (rather than a precise number) in which district would be deemed to have met the attendance rate standard. If a district's community did not like the range established by the SBE, it could adopt its own attendance rate range and the district would be deemed to meet the attendance rate standard if it met the district-established range. Unlike the API target score, the rubric must anticipate regular reassessment of standards and targets every few years to adjust for changing environments.

This alternate approach is fully consistent with the requirement of the SBE to "adopt standards for school district and individual schoolsite performance and expectation." Indeed, the SBE has previously set this exact type of flexible standards when directed to do so by the Legislature in the context of the review of a district's budget.

Education Code section 33127(a) requires the "[t]he Superintendent, the Controller, and the Director of Finance shall develop . . . standards and criteria to be reviewed and adopted by the state board, and to be used by local educational agencies in the development of annual budgets and the management of subsequent expenditures from that budget." The SBE did so by promulgating sections 15441 through 15450 of title 5 of the California Code of Regulations. For example, section 15444 focuses on whether a district's projected LCFF revenue has "changed from the prior fiscal year by more than the change in population, plus the district's gap funding or cost-of-living adjustment (COLA) and its economic recovery target payment, [by] plus or minus one percent." Not only does this regulation set a range (+/- 1%) but it is not a fixed limitation. Instead, the regulations require that "[d]eviations from the standards must be explained." (5 CCR 15440)

Some have suggested grade level performance standards. We believe it is too early for such a requirement and would greatly complicate and already voluminous document. This is not

to prohibit districts/COEs from citing specific grade level differences as desired locally, but the need to do so could be evaluated on a case-by-case basis.

We concur with suggestions by civil rights and parent groups that the rubric should indicate whether a particular metric is required or a local choice and if the data is state-collected, require of all districts but locally held, or locally determined. This will allow better comparison of that data which has consistent definitions. We like how Appendix A identified required metrics as an input, process or outcome measure and appreciate where data can be pre-populated by the CDE. In that much of the pre-populated information here is duplicated in the SARC, we would ask you to consider eliminating the SARC requirement once the rubric is fully implemented. Appendix A needs to indicate that that it refers to “current” data availability since much of the data will have a 1-2 year lag time.

Question 4 of the Practice Analysis section of the rubric needs clarification. Are you trying to identify how the district is administering available resources in service of the goals and priorities or the adequacy of the district’s resources to meet the full need? The answers to these questions will vary widely and clarity now will help make the documents more comparable.

We encourage you to retain the sense that the LCFF Rubric is intended as a conversation starter, shining a light on data rather than a device to punish districts. We reiterate that this is a new and long process and districts need to be encouraged to report freely, not given cause to avoid data analysis that will benefit students.

Again, these are initial comments and further analysis will be forthcoming.

Thank you for the opportunity to share thoughts on these many issues. I apologize for the length of this memo but it is a meaty agenda. As always I am available at tburns@csba.org or 916-669-3356 for further discussion of any of these items and to offer any assistance in sharing this information with our members.