California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

memo-itb-amard-oct21item02

# **MEMORANDUM**

**DATE:** October 14, 2021

**TO:** MEMBERS, State Board of Education

**FROM:** TONY THURMOND, State Superintendent of Public Instruction

**SUBJECT:** Consistently Low-Performing Student Groups Per California *Education Code* Section 52064(e)(6)(A) and Consistently Low-Performing Schools Per California *Education Code* Section 52064(e)(6)(B)

## Summary of Key Issues

Senate Bill (SB) 98 (Chapter 24, Statutes of 2020)amended California *Education Code* (*EC)* Section 52064 to update the instructions for the Local Control Accountability Plan (LCAP) template to include a requirement that a local educational agency (LEA) that meets certain criteria include one or more specific goals in the LCAP.

*EC* Section 52064(e)(5) requires a LEA that meets the criteria to receive technical assistance based on the performance of the same student group or groups for three or more consecutive years to include a goal in the LCAP focused on improving the performance of that student group or groups.

*EC* Section 52064(e)(6)(A) requires a school district or county office of education (COE) with a school that meets the criteria described in subparagraph (B) to include a goal in the LCAP focused on addressing the disparities in performance at the school or schools compared to the school district or COE as a whole. *EC* Section 52064(e)(6)(B) states:

(B) The requirement described in subparagraph (A) shall apply for any local educational agency with two or more schools if, for two consecutive years, a school receives the two lowest performance levels on all but one of the state indicators for which the school receives performance levels on the California School Dashboard pursuant to subdivision (d) of Section 52064.5 and the performance of the local educational agency for all pupils is at least one performance level higher on all of those indicators.

This memorandum provides a description and examples of how these criteria were applied and next steps for these LEAs and schools. Attachments 1 and 2 provide the list of LEAs and schools that met these criteria.

## Summary of Previous State Board of Education Discussion and Action

In September 2021, the California Department of Education (CDE) presented to the State Board of Education (SBE) the required revisions of the LCAP template and instructions per SB 98 and Assembly Bill 130 (Chapter 44, Statutes of 2021) (<https://www.cde.ca.gov/be/ag/ag/yr21/documents/sep21item03.docx>).

## Criteria for Identifying Student Groups and Schools Per *EC* Section 52064

*EC* Section 52064(e)(5) requires LEAs that are eligible for differentiated assistance for three or more consecutive years based on the performance of the same student group(s) to receive technical assistance. For example, Peggy Carter Elementary meets the criteria outlined in *EC* Section 52064(e)(5) because the school has been in differentiated assistance for three consecutive years based on the performance of the English Learner student group.

### Table 1: Peggy Carter Elementary Meets *EC* Section 52064(e)(5) Criteria

| **LEA Assistance Year** | **LEA Assistance Status** | **Targeted Student Group** |
| --- | --- | --- |
| 2019 | Differentiated Assistance | English Learner |
| 2018 | Differentiated Assistance | English Learner |
| 2017 | Differentiated Assistance | English Learner |

Conversely, in the example below, Gurion High **does not** meet the criteria of *EC* Section 52064(e)(5) because the LEA is eligible for differentiated assistance based on the performance of different student groups.

### Table 2: Gurion High Does Not Meet *EC* Section 52064(e)(5) Criteria

| **LEA Assistance Year** | **LEA Assistance Status** | **Targeted Student Group** |
| --- | --- | --- |
| 2019 | Differentiated Assistance | Students with Disabilities |
| 2018 | Differentiated Assistance | Homeless Students |
| 2017 | Differentiated Assistance | Students with Disabilities |

The list of LEAs that met the criteria of *EC* Section 52064(e)(5) is provided in Attachment 1.

*EC* Section 52064(e)(6) requires the CDE to identify schools that for two consecutive years have received the two performance levels in the “All Students” student group that are lower as compared to those schools’ LEAs’ performance on state indicators on the California School Dashboard (Dashboard). In order to determine the list of schools meeting the criteria outlined in *EC* Section 52064(e)(6), the CDE used state indicator data from the 2019 Dashboard and the 2018 Dashboard. Schools with at least one Red or one Orange color on these Dashboards were taken into consideration. Note: For the 2018 Dashboard, the English Learner Progress Indicator (ELPI) was not available. For the 2019 Dashboard, only Status was reported for the ELPI and an ELPI Status level of ‘Very Low’ was used in place of the color ‘Red’.

Next, using data from the 2018 Dashboard, the CDE compared the state indicators at the school level to the state indicators at the school’s LEA. In addition, using the 2019 Dashboard, the CDE compared the state indicators at the school level to the state indicators at the school’s LEA.

In order to be included on the list of schools meeting the criteria outlined in *EC* Section 52064, schools must be one or more levels lower on **all** indicators in both the 2019 and 2018 Dashboard when compared to their LEA. If a school, for example, had just one indicator in either the prior or current year that was not lower than their LEA’s, then that school would not be eligible for inclusion.

For example, Amethyst Elementary meets the criteria outlined in *EC* Section 52064(e)(6) because the school has:

* At least one state indicator in the Red or Orange in both 2018 and 2019; and
* The performance color for every state indicator at the school is lower than the LEA’s performance color in both 2018 and 2019.

### Table 3: Amethyst Elementary Meets *EC* Section 52064(e)(6) Criteria

| **Dashboard Indicator** | **2019 School Dashboard** | **2019 LEA Dashboard** | **2018 School**  **Dashboard** | **2018 LEA Dashboard** |
| --- | --- | --- | --- | --- |
| Graduation Rate | N/A | Orange | N/A | Orange |
| English Language Arts/Literacy | Red | Green | Yellow | Green |
| Mathematics | Yellow | Green | Orange | Yellow |
| English Learner Progress | High Status | High Status | N/A | N/A |
| Suspension Rate | Red | Orange | Red | Orange |
| Chronic Absenteeism | Orange | Yellow | Orange | Green |
| College/Career | N/A | Green | N/A | Yellow |

Conversely, in the example below, Crystal High **does not** meet the criteria of *EC* Section 52064(e)(6) because the criteria noted above were not met in both 2018 and 2019.

Table 4 illustrates that on the 2019 Dashboard, Crystal High’s overall performance color for the Suspension Rate indicator is not lower than their LEA’s performance color.

### Table 4: Crystal High Does Not Meet *EC* Section 52064(e)(6) Criteria

| **Dashboard Indicator** | **2019 School Dashboard** | **2019 LEA Dashboard** | **2018 School**  **Dashboard** | **2018 LEA Dashboard** |
| --- | --- | --- | --- | --- |
| Graduation Rate | Red | Green | Red | Yellow |
| English Language Arts/Literacy | Red | Green | Red | Green |
| Mathematics | Yellow | Green | Orange | Yellow |
| English Learner Progress | Low Status | High Status | N/A | N/A |
| Suspension Rate | Green | Green | Yellow | Orange |
| Chronic Absenteeism | Orange | Yellow | Orange | Green |
| College/Career | Red | Green | Red | Yellow |

The list of schools that met the criteria of *EC* Section 52064(e)(6) is provided in Attachment 2.

## Next Steps

The CDE will publicly post the LEAs and schools that have met the criteria for identification per *EC* sections 52064(e)(5)–(6) on the CDE’s System of Support web page (<https://www.cde.ca.gov/sp/sw/t1/csss.asp>). The publication of these lists will identify those LEAs that are eligible for assistance based on the performance of **one** or more student groups for three or more consecutive years and those LEAs that have two or more schools on this list because *EC* sections 52064(e)(5)–(6) require these LEAs to include a specific goal in the LCAP. The CDE will host a webinar on January 13, 2022, to provide training and guidance to these LEAs related to incorporating the required goal into their 2022–23 LCAP.

The CDE will annually prepare these files that indicate, for all applicable LEAs, which student groups and schools are required to have goals based on these new instructions. These files will provide writers and reviewers of LCAPs as well as educational partners with assurance on which student groups and schools are required to have goals.

## Attachment(s)

* **Attachment 1:** Local Educational Agencies Meeting the Criteria of California *Education Code* Section 52064(e)(5) (3 Pages)
* **Attachment 2:** Schools Meeting the Criteria of California *Education Code* Section 52064(e)(6) (1 Page)

# **Attachment 1: Local Educational Agencies Meeting the Criteria of California *Education Code* Section 52064(e)(5)**

A total of 57 local educational agencies (LEAs) met the criteria of California *Education Code (EC)* Section 52064(e)(5). The list of LEAs and Targeted Student Group(s) is provided in Table 1.

## Table 1: LEAs Meeting Criteria Outlined in *EC* Section 52064(e)(5)

| **CDS** | **LEA** | **Targeted Student Group(s)** |
| --- | --- | --- |
| 01611430000000 | Berkeley Unified | Homeless Students |
| 01611920000000 | Hayward Unified | Homeless Students, Students with Disabilities |
| 01612590000000 | Oakland Unified | African American, English Learner, Homeless Students |
| 01613090000000 | San Lorenzo Unified | Homeless Students, Students with Disabilities |
| 04615490000000 | Thermalito Union Elementary | Students with Disabilities |
| 05615720000000 | Mark Twain Union Elementary | Students with Disabilities |
| 07616480000000 | Antioch Unified | Foster Youth, Homeless Students |
| 07617540000000 | Mt. Diablo Unified | African American, Foster Youth, Homeless Students |
| 07617880000000 | Pittsburg Unified | African American |
| 07617960000000 | West Contra Costa Unified | Students with Disabilities |
| 09619290000000 | Mother Lode Union Elementary | Students with Disabilities |
| 10621660000000 | Fresno Unified | Foster Youth, Students with Disabilities |
| 10767780000000 | Washington Unified | Homeless Students |
| 12755150000000 | Eureka City Schools | Homeless Students |
| 15635450000000 | Kernville Union Elementary | Students with Disabilities |
| 15636770000000 | Mojave Unified | Homeless Students |
| 17640300000000 | Lakeport Unified | American Indian, Students with Disabilities |
| 19642460000000 | Antelope Valley Union High | Students with Disabilities |
| 19646340000000 | Inglewood Unified | Students with Disabilities |
| 19648570000000 | Palmdale Elementary | African American, Students with Disabilities |
| 19648810000000 | Pasadena Unified | Foster Youth |
| 19734520000000 | Rowland Unified | Students with Disabilities |
| 27661590000000 | Salinas Union High | Students with Disabilities, Homeless Students, English Learner |
| 29663570000000 | Nevada Joint Union High | Students with Disabilities |
| 33670580000000 | Desert Sands Unified | Students with Disabilities |
| 33671240000000 | Moreno Valley Unified | Students with Disabilities |
| 33672490000000 | San Jacinto Unified | Students with Disabilities |
| 34673140000000 | Elk Grove Unified | Foster Youth, Students with Disabilities |
| 34674390000000 | Sacramento City Unified | Foster Youth, Homeless Students, Students with Disabilities |
| 34674470000000 | San Juan Unified | Foster Youth |
| 34765050000000 | Twin Rivers Unified | Students with Disabilities |
| 36676110000000 | Barstow Unified | Students with Disabilities |
| 36677770000000 | Morongo Unified | Students with Disabilities |
| 36679340000000 | Victor Valley Union High | Foster Youth |
| 37679910000000 | Cajon Valley Union | Students with Disabilities |
| 37683040000000 | Ramona City Unified | Students with Disabilities |
| 38684780000000 | San Francisco Unified | Foster Youth |
| 39685690000000 | Lincoln Unified | Students with Disabilities |
| 39685850000000 | Lodi Unified | Homeless Students, Students with Disabilities |
| 39686760000000 | Stockton Unified | Students with Disabilities |
| 40754570000000 | Paso Robles Joint Unified | Students with Disabilities |
| 41689990000000 | Ravenswood City Elementary | African American |
| 41690700000000 | South San Francisco Unified | Students with Disabilities |
| 42767860000000 | Santa Barbara Unified | Students with Disabilities |
| 43694270000000 | East Side Union High | Homeless Students |
| 43695830000000 | Morgan Hill Unified | Students with Disabilities |
| 44697990000000 | Pajaro Valley Unified | Students with Disabilities |
| 45752670000000 | Gateway Unified | Students with Disabilities |
| 48705400000000 | Fairfield-Suisun Unified | Homeless Students, Students with Disabilities |
| 48705810000000 | Vallejo City Unified | Homeless Students, Students with Disabilities |
| 49709530000000 | Sonoma Valley Unified | Students with Disabilities |
| 50710760000000 | Empire Union Elementary | Students with Disabilities |
| 50712170000000 | Patterson Joint Unified | Homeless |
| 50755640000000 | Oakdale Joint Unified | Students with Disabilities |
| 54755310000000 | Dinuba Unified | Students with Disabilities |
| 57726940000000 | Washington Unified | Students with Disabilities |
| 58727360000000 | Marysville Joint Unified | Homeless Students |

# **Attachment 2: Schools Meeting the Criteria of California *Education Code* Section 52064(e)(6)**

A total of 10 schools met the criteria of California *Education Code (EC)* Section 52064(e)(6). The list of schools and their district name is provided in Table 1.

## Table 1: Schools Meeting Criteria Outlined in *EC* Section 52064(e)(6)

| **CDS** | **District** | **School** |
| --- | --- | --- |
| 19647330102764 | Los Angeles Unified | Richard A. Alonzo Community Day |
| 19647330127795 | Los Angeles Unified | Contreras Learning Center-School of Social Justice |
| 19647331932128 | Los Angeles Unified | Crenshaw Science, Technology, Engineering, Math and Medicine Magnet |
| 19647331932383 | Los Angeles Unified | Susan Miller Dorsey Senior High |
| 19650601938083 | Torrance Unified | Shery (Kurt T.) High (Continuation) |
| 30665483038551 | Huntington Beach Union High | Valley Vista High (Continuation) |
| 36676783631587 | Chino Valley Unified | Boys Republic High |
| 36676783631769 | Chino Valley Unified | Buena Vista Continuation High |
| 37683386039630 | San Diego Unified | Fulton K-8 |
| 37683386114292 | San Diego Unified | Kimbrough Elementary |